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No. 141

Senate

The Senate was not in session today. Its next meeting will be held on Tuesday, October 14, 2003, at 9:30 a.m.

House of Representatives

WEDNESDAY, OCTOBER 8, 2003

The House met at 10 a.m.

The Reverend Ky Weekley, Grace Covenant Presbyterian Church, Overland Park, Kansas, offered the following prayer:

Holy One of all creation, once again we come into Your presence, seeking Your blessing, as we gather in these hallowed walls of democracy.

I give You thanks, O God most holy, for each of those gathered this morning. Many skills and gifts and talents, commitments and passions are represented in this Chamber. May the tapestry they weave be one that builds up the Nation, strengthens our common good, and encourages us to be and act as brothers and sisters to one another.

God of all nations and every people, we thank You for the life and history that is ours, for the wealth of resources, both natural and human. May we be good stewards of our blessing. We are grateful for our people, those whose ancestors have been here for a thousand years and those who have just arrived. We thank You for the variety of our traditions and cultures and richness and diversity of our beliefs.

As we seek to honor You, I pray for each of these honorable Representatives, praying that working together, they may face You and the future together in confidence and hope.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Louisiana (Mr. ALEXANDER) come forward and lead the House in the Pledge of Allegiance.

Mr. ALEXANDER led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING THE REVEREND KY WEEKLEY

(Mr. MOORE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MOORE. Mr. Speaker, I rise today to introduce the Reverend Ky Weekley, the associate pastor for Operational Ministries at Grace Covenant Presbyterian Church in Overland Park, Kansas, which is located in the Third Congressional District. Reverend Weekley, serving as today's guest chaplain, offered today's invocation.

Reverend Weekley has served as a Presbyterian pastor for 31 years, with the last 24 years spent in the Kansas City area. For the last 3 years he has pastored the Grace Covenant Presbyterian Church in Overland Park. His service also extends beyond the spiritual world to the temporal one; Reverend Weekley has served for the past 7 years on the city council of Fairway,

Kansas, where he currently is council president.

Reverend Weekley is married to Dr. Tracy Cowles, and they have two daughters, Erin, who is a sophomore at Williams College, and Cristin, a junior at Shawnee Mission East High School in Johnson County, Kansas.

Mr. Speaker, Ky and Tracy have been long-time friends of my wife, Stephanie, and myself; and we are very happy to welcome them to Washington, D.C.

MANSOUR BROTHERS, HARD- WORKING AMERICANS

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, yesterday we considered H. Res. 234, condemning bigotry and violence against Arab Americans, Muslim Americans, South Asian Americans, and Sikh Americans.

After September 11, Arab American-owned businesses were boycotted simply because of the ethnicity of their owners. These men and women came to this country to escape this kind of intolerance, to build a new life, to worship freely, and to do business freely. They did not expect to be blamed and ridiculed for something they did not do. This is not what America is all about.

One such business was the Sunset Diner in Ephrata in my district. The diner is owned by Mike and Sam Mansour, two Egyptian-born brothers. Mike and Sam experienced significant

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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hardship after the terrorist attacks. Just as we should not single out anyone of German, Russian, or Japanese descent for what some of their countrymen may have done in the past, we should not single out people like Mike and Sam for what 18 men with similar ethnic backgrounds did on one terrible day. I am pleased that the House has considered this bill, and I hope our communities will all take this lesson to heart.

HONORING ILLINOIS' NOBEL LAUREATES

(Mr. EMANUEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EMANUEL. Mr. Speaker, I am proud to rise in honor of the Illinois Nobel Laureates. Illinois has always been well represented in this competition of the world's best and brightest, but this year three individuals from Illinois have won the Nobel Prize: Paul Lauterbur, a researcher at the University of Illinois, won for his research leading to the development of MRI technology; Alexei Abrikosov of Argonne National Laboratory; and Anthony Leggett, another researcher at the University of Illinois won for physics.

Each of these individuals works at a public institution dedicated to the exploration and expansion of human knowledge, and each of these institutions relies on public support to do the public good. These individuals and their work represent the future of our country; and if we are to maintain our status as a world leader, we must continue to support their works.

Mr. Speaker, although their work is diverse, their ability to pursue their intellectual endeavors is singular. So those who run down our public institutions, I hope they take note of these individuals' accomplishments.

Mr. Speaker, these Nobel Prize winners are from Illinois, we are proud of them, but they are national treasures.

PROTECT AMERICANS IN UNIFORM ABROAD

(Mr. KIRK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KIRK. Mr. Speaker, the top priority of our foreign policy must be to protect Americans in uniform abroad. Our troops need allies to help shoulder the burden in Iraq. More allies will show the Iraqi people that the world community is strengthening its support for a new Iraqi democracy.

Yesterday, the National Assembly of Turkey voted to authorize the deployment of at least 6,000 peacekeepers to Iraq. Turkey has long been a NATO ally, even as she borders Iraq, Syria, and Iran. Her soldiers fought next to ours in far-off Korea in support of the United Nations.

Despite temporary problems, I thank Prime Minister Erdogan and Foreign Minister Gul for adding Turkey's peacekeeping troops to our mission of building a free and democratic Iraq.

OUR NATIONAL DEBT

(Mr. ALEXANDER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALEXANDER. Mr. Speaker, it has been 881 days since President Bush and his party embarked on their economic plan for our country. During that time, the national debt has increased by \$1,174,114,828,749.14. According to the Web site for the Bureau of Public Debt at the Treasury Department, yesterday at 4:30 p.m. Eastern Daylight Time, the Nation's outstanding debt was \$6,814,440,215,107.91. Furthermore, in fiscal year 2003, the interest on our national debt, or the debt-tax, totaled \$318,148,529,151.51.

COMMENDING AFGHAN WOMEN

(Mrs. BIGGERT asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BIGGERT. Mr. Speaker, I rise today to commend the women of Afghanistan and to encourage my colleagues to join me in expressing strong support for their inclusion in the new Afghan constitution.

Nearly 2 years after the fall of the Taliban government, Afghan women are reclaiming their rightful place in society, returning to jobs and professions they held before the Taliban. No longer do they live in fear of a brutal regime. Instead, they are working to build a new democracy.

Under the Bonn Agreement, the people in Afghanistan will have in place in the coming months a new constitution. As the drafters continue the hard work of crafting that important document, we must continue to include the women of Afghanistan in the protection of their human rights.

It is for this reason that the gentlewoman from New York (Mrs. MALONEY) and I introduced today a resolution commending the participation of women in Afghan government and society and advocating the protection of women's human rights under the constitution. I urge Members to support this resolution.

SCHOOL CONSTRUCTION CREATES JOBS

(Mr. ETHERIDGE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ETHERIDGE. Mr. Speaker, I rise to call on this Congress to pass school construction legislation to create jobs and improve education here in America. More than 3 million workers have

lost their jobs in this sorry economy; over 2 million were in manufacturing sectors alone. My State of North Carolina has seen devastating job losses in such vital industries as textiles, furniture, and tobacco.

Congress must act now to get America working again. We should start by passing legislation to put people to work building schools. In many urban and rural areas of this country, schools are crumbling and localities lack the resources to rebuild. In many communities in my district, schools are bursting at the seams from overcrowding.

Since my first term in this body, I have worked to pass school construction. This year's version, H.R. 717, will provide \$25 billion in zero interest bonds for school construction in this country. This bill will put workers back to work building quality schools for our country.

Mr. Speaker, Congress will soon consider the President's request for \$87 billion for Iraqi reconstruction, including building new schools. The President is going to get his money, but we need to spend some money here at home on schools. So Congress should pass H.R. 717 to build schools in America.

SUPPORTING THE OATH OF ALLEGIANCE

(Mr. RYUN of Kansas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RYUN of Kansas. Mr. Speaker, the Oath of Allegiance has served as the gateway to American citizenship for over 200 years. When immigrants speak its forceful words, they pledge their unfettered allegiance to America, our Constitution, and our laws.

This important symbol of American citizenship is not specified by law. However, it can be changed on the whim of a government agency. In fact, such a change was recently attempted and would have transformed an absolute commitment to our Constitution into a conditional statement, thereby weakening our citizenship. That is why I introduced H.R. 3191, which would establish the oath as Federal law.

Mr. Speaker, throughout our history, our Nation has been strengthened by immigrants who came here to pursue the American dream. Establishing the oath as the law of the land would remind all Americans that pursuing that dream also requires a full-time commitment to citizenship. I urge my colleagues to join me in supporting this legislation to strengthen the meaning of our citizenship.

JUNGLE CAMOUFLAGE IN THE DESERT?

(Mr. DEFAZIO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DEFAZIO. Mr. Speaker, I have heard about the sweetheart deals and

the war profiteering in the rebuilding of Iraq, the billions that are being wasted, but how are the troops doing over there on the ground? Not so well, it turns out. Thirty to 40,000 of our troops cannot get \$500 pieces of body armor. They are working with flak vests from the Vietnam era which will not stop an AK-47 bullet. We have Humvees with canvas side curtains. Some of our troops are being sent over there with jungle camouflage. We cannot afford that desert camouflage.

How is it with the buildup for months by this administration, a \$380 Pentagon budget, \$80 billion appropriated by Congress last April for this war, that the Bush administration, Secretary Rumsfeld in all of his great wisdom, could not have thought to buy our young men and women body armor, to give them armored Humvees, to get them desert fatigues, boots and sidearms that work, and other critical supplies? They said we just cannot afford it, we need more money, then maybe we will give the young men and women what they need.

Mr. Speaker, they can find that money. It is about 2 minutes' spending at the Pentagon.

□ 1015

REMEMBERING A TRUE SOUTH CAROLINA HERO, SERGEANT ANTHONY O. THOMPSON

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, I rise today in sadness to report the death of a true South Carolina hero, Sergeant Anthony O. Thompson. As a 26-year-old artillery fire support specialist in the United States Army, Sergeant Thompson proudly represented not only our State and Nation but all the people of South Carolina.

As a native of Orangeburg County, he showed immense potential even as a teenager. Graduating from Orangeburg-Wilkinson High School in 1995, he departed with honors and shortly thereafter entered the Army.

After serving in the Army for nearly 7 years, Sergeant Thompson began his quest in Iraq to defend our Nation from terrorists and engage in the War on Terrorism. Sergeant Anthony Thompson, killed in combat, was the second serviceman from Orangeburg County to die during service in Iraq and the seventh from the State of South Carolina.

I ask my colleagues to join me today in extending condolences to Sergeant Thompson's friends and family, as he was a dedicated hero to our State and Nation.

In conclusion, God bless our troops.

MANDATED TRAINING FOR AIRCREWS

(Mr. MICHAUD asked and was given permission to address the House for 1 minute.)

Mr. MICHAUD. Mr. Speaker, 10 days after terrorist attacks on September 11, the President told this body, "We will come together to improve air safety and take new measures to prevent hijacking."

Yet, 2 years later, our first line of defense in the air has been not yet upgraded. The flight attendants who were the first victims of the tragic accidents on that day and who are still called upon to defend passengers lives have not been given the new defensive training that they need.

Working together in committee, Members of both parties drafted legislation to address this shortfall and mandate proper defense training for aircrews. Four hundred eighteen Members of the House agreed.

Unfortunately, through the FAA reauthorization bill, House leadership has now removed the strong mandate and replaced it with a statement that TSA "may" provide training. This undermines our bipartisan work, it undermines the expectation clearly stated by the President, and it undermines the Nation's safety.

I urge my colleagues to work with me to change the language back. There should be no uncertainty, no delay. Mandated training for aircrews is the will of this Congress and the will of our constituents.

IN HONOR OF SPECIALIST DUSTIN K. MCGAUGH

(Mr. BOOZMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOOZMAN. Mr. Speaker, I rise today to honor one of America's bravest, Specialist Dustin McGaugh, who grew up in Springdale, Arkansas. Specialist McGaugh was killed in a "friendly fire" accident in Balad, Iraq, late last week.

Motivated by a desire to serve and be a part of something important, Specialist McGaugh enlisted in the Army prior to the September 11 attacks and was so intent on becoming a soldier that he completed his last 3 weeks of basic training with a broken shinbone.

Specialist McGaugh put himself in harm's way so that the world could be a better place, and he did so in a manner that was an inspiration to his fellow soldiers. While in Iraq he told his family that his unit often came under fire. However, this did not stop him from doing his mission. In fact, it seemed to have encouraged him to reach out to the Iraqi people. His fellow soldiers said that, regardless of the dangers, Specialist McGaugh could often be found handing out candy to Iraqi children.

Mr. Speaker, Specialist Dustin McGaugh made the ultimate sacrifice for his country. He is a true American hero. I ask my colleagues to keep Specialist McGaugh's family and friends in their thoughts and prayers during these difficult times.

VOTE NO ON \$87 BILLION FOR IRAQ

(Mr. MCDERMOTT asked and was given permission to address the House for 1 minute.)

Mr. MCDERMOTT. Mr. Speaker, I am here to do a public service announcement. I want all of you to get your rubber stamp ready. We are here for 24 hours this week, and next week, when we arrive on Wednesday, within 24 hours we will have given the President \$87 billion. That is what he wants in a failed policy. We are going to buy cell phones at \$6,000 a copy. The ones we have here cost \$1,500. Why are they \$6,000 in Iraq? Why are we spending \$100 million in a witness protection program or putting in a 911 system or all the foolishness in that bill?

There will be no talk tomorrow about amendments in the Committee on Appropriations. We ought to figure out what the President needs until December and give it to him then, and we will come back when he has a plan.

He announced today they are not going to go for a resolution in the United Nations. We are going it alone, and the American taxpayers are being asked to suck it up again, give him \$87 billion, do not ask him what he did with it, just rubber stamp it. That is wrong. Just vote no.

THE ECONOMY

(Mrs. MILLER of Michigan asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MILLER of Michigan. Mr. Speaker, last week we received very exciting and positive news that the Bush economic plan is working. Both business and individuals are seeing an upturn in the economy. In September, payrolls increased by 57,000 jobs, showing increased confidence on behalf of job providers. Personal income and personal spending were both up, indicating increased consumer confidence in the economy. Clearly, the tax cuts are working, and our economy is improving.

But we do have more work to do. We must pass a comprehensive energy policy to help fuel our economy. We must open more markets abroad to export our manufactured goods. We must rein in out-of-control litigation, which is a hidden tax on our economy. We must make health care more affordable for families and businesses. And, finally, we must make the Bush tax cuts permanent so that there is certainty for families and small businesses as the recovery moves forward.

We know what we have to do to further expand our economy. It is time to get the job done.

HONORING CARL D. ASHLEY

(Mr. DAVIS of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DAVIS of Illinois. Mr. Speaker, on Saturday I attended a funeral in my community, a funeral of an outstanding American, one who spent time in Vietnam, who served his country, but then who came back and was a quiet, gentle man. He raised a great family, served as an election judge, was actively involved in helping others. And I simply express condolences to the family of my good friend Carl D. Ashley, who gave his life in the service of others. A great American, great humanitarian.

WELCOMING BACK THE 202ND RED HORSE

(Mr. STEARNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEARNS. Mr. Speaker, I stand today to recognize and welcome the return of the last group of the 202nd RED HORSE Squadron, Florida's Air National Guard engineer unit. They are headquartered at Camp Blanding, which is in my congressional district. The remaining members arrived on Friday, October 3, completing a deployment that began with its activation in January and subsequent deployment the following February.

RED HORSE stands for Rapid Engineer Deployable Heavy Operational Repair Squadron Engineers; and, as the name suggests, these members are the workhorses for the military's heavy construction and engineering. The 202nd was relied upon as part of the first Expeditionary RED HORSE group to complete the myriad of construction projects needed to ensure Central Command and its forces accomplished its underlying mission. One of the more notable projects was the repair of the Baghdad International Airport.

I had the opportunity to meet a number of these individuals and have in my congressional office the red hard hat that was signed by members of this unit. So I am thankful and proud of their service. Mr. Speaker, I welcome them home.

JOB CREATION AND THE BUSH ADMINISTRATION

(Mr. GEORGE MILLER of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Speaker, yesterday the press reported that Secretary of Commerce Donald Evans was going to travel the country and focus like a laser on the issue of jobs, jobs, jobs, jobs, said the headline. He is going to travel from city to city and talk about jobs in America, that jobs are the most important issue.

Today we read that his first stop is going to be in Iraq. I guess maybe that is because that is where the Bush administration is creating jobs as they seek to build new hospitals, they seek

to build schools that they will not build in this country, hospitals that they will not build in this country, sewer systems that they will not build in this country. We see these exorbitant contracts being led through Bechtel and Haliburton. I guess that is where the jobs are from the Bush administration, and that is why the Secretary of Commerce is going there instead of going to the Midwest where hundreds of thousands of people have lost manufacturing jobs or anywhere else in this country where over 3 million people have lost their jobs and 9 million people are unemployed.

The Secretary of Commerce would do well to travel the country, as opposed to going to Iraq.

HONORING THE REPUBLIC OF CHINA'S NATIONAL DAY

(Mr. SESSIONS asked and was given permission to address the House for 1 minute.)

Mr. SESSIONS. Mr. Speaker, I rise this morning in wishing the Republic of China a happy day for tomorrow. It is National Day.

A strong economic system, a strong educational system, and its people's grasp of the free market system of economics have made Taiwan an economic powerhouse. It is the world's 17th largest economy. This economic performance has contributed to both regional and global prosperity. At a time of economic independence among nations, Taiwan has a lot to offer the world.

On Taiwan's National Day, I would like to see Taiwan continue to play a major economic role in the world and to further strengthen its economic ties with the United States. A hearty congratulations to President Chen. We wish him and his people the best of luck as he seeks readmission to the World Health Organization. He deserves his place on the world's stage.

We appreciate Taiwan's support of America and honor their National Day.

ENGINEERED FABRICS CORPORATION

(Mr. GINGREY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GINGREY. Mr. Speaker, I rise today to congratulate a company located in the 11th district of Georgia which I represent.

Mr. Speaker, we all know the dangers our men and women of the Armed Forces are facing during the operations of Enduring Freedom. During combat operations several of our Apache helicopters took enemy fire and were damaged to the point they could no longer operate in the combat theatre. As one can imagine, it was imperative these helicopters were repaired and returned to the theatre of operations as soon as possible.

On April 2, 2003, the men and women of Engineered Fabrics Corporation in

Rockmart, Georgia, got the call to assist our Nation's warfighters. Within 24 hours 28 new Apache fuel tanks were on their way to the combat theatre.

In recognition of this excellent, incredible effort, Engineered Fabrics received the Commander's Medallion for Outstanding Warfight Support from the Defense Contract Management Agency.

Specifically, I would like to thank and congratulate Mr. Carl Simmons, Contracts Manager, and Sheila Smith, Shipping and Receiving Manager, both with Engineered Fabrics. These two individuals were instrumental in ensuring that contract and shipment requirements were completed on or ahead of schedule.

Mr. Speaker, Engineered Fabrics is an outstanding company in my 11th District of Georgia and a great example of the American spirit and will to succeed.

DOMESTIC VIOLENCE AWARENESS MONTH

(Mrs. CAPITO asked and was given permission to address the House for 1 minute.)

Mrs. CAPITO. Mr. Speaker, I rise today in support of declaring October National Domestic Violence Awareness Month.

Domestic violence encompasses all acts of violence against women within the context of a family or intimate relationships. It is an issue of increasing concern because it has a negative effect on all family members, especially the children.

It is also leading cause of injury to women in the United States, where they are more likely to be assaulted, injured, raped or killed by a male partner than by any other type of assailant.

During 1998, an average of two domestic homicides occurred in my State of West Virginia each month. Across the United States, it is estimated that as many as 4 million instances of domestic abuse against women occur yearly.

We must fight this scourge. These statistics are devastating, but behind every statistic there is a face, a family, a woman, a child who is in a violent relationship and the children are trapped in these violent unstable homes living in fear.

I am asking every Member of Congress to spread the word about domestic violence so we can help these women and children live a life free of fear. This epidemic is something in our communities that we need to be aware of, and October is a month to shine a light on the problem of domestic violence throughout our country.

□ 1030

EXTENDING CONGRATULATIONS
TO PEOPLE OF CALIFORNIA ON
ELECTION OF ARNOLD
SCHWARZENEGGER AS GOV-
ERNOR

(Mr. DREIER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, I arise to extend congratulations to the people of California and our next Governor, Arnold Schwarzenegger.

California has undergone some extraordinary turmoil in the last several months and years, and we have gone through a process that led last night to a victory for Mr. Schwarzenegger by a margin of 1 million votes. But, as has been pointed out by many, now the real work begins.

I want to extend hearty congratulations to Governor Gray Davis, who provided an extraordinary concession speech last night, recognizing the will of the people of California.

I believe that as this real work begins, proceeding with this important transition process to the Schwarzenegger administration, it will be important, and it is especially important for the people of California as we seek to bring back the kind of job creation and economic growth machine that is absolutely necessary to improve the quality of life for all.

So, I extend thanks to Governor Davis for his two decades of public service to the people of California, thanks to him, Mr. Speaker, for his gracious remarks, and hearty, hearty congratulations to all the people of California and to Governor-elect Schwarzenegger.

CONFERENCE REPORT ON H.R. 1474,
CHECK CLEARING FOR THE 21ST
CENTURY ACT

Mr. OXLEY. Mr. Speaker, pursuant to the order of the House of October 7, 2003, I call up the conference report on the bill (H.R. 1474) to facilitate check truncation by authorizing substitute checks, to foster innovation in the check collection system without mandating receipt of checks in electronic form, and to improve the overall efficiency of the Nation's payments system, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. DUNCAN of Tennessee). Pursuant to rule XXII, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of October 1, 2003, at page H9083.)

The SPEAKER pro tempore. The gentleman from Ohio (Mr. OXLEY) and the gentleman from Tennessee (Mr. FORD) each will control 30 minutes.

The Chair recognizes the gentleman from Ohio (Mr. OXLEY).

GENERAL LEAVE

Mr. OXLEY. Mr. Speaker, I ask unanimous consent that all Members may

have 5 legislative days within which to revise and extend their remarks on the conference report to accompany H.R. 1474.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. OXLEY. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I rise today in support of the conference report for H.R. 1474, the Check Truncation for the 21st Century Act, or Check 21, as it has come to be known. I want to thank the gentlewoman from Pennsylvania (Ms. HART) and the gentleman from Tennessee (Mr. FORD) for guiding this bill through the House, and the subcommittee chairman, the gentleman from Alabama (Mr. BACHUS), the ranking member, the gentleman from Massachusetts (Mr. FRANK) and the gentleman from Ohio (Mr. TIBERI) for their substantive input into this process. Also, I would like to thank Chairman SHELBY for a smooth conference process.

After the September 11 terrorist attacks, domestic flights were suspended, preventing millions of checks from physically moving through the payment system. The Federal Reserve was forced to take emergency action to continue the movement of checks around the country.

The Committee on Financial Services responded to the terrorist attacks with legislation aimed at shutting off terrorist financing, getting our financial markets open and operating and providing businesses with protection from future losses from terrorist attacks.

Check 21 is another important effort by our committee to protect the payment system in times of national emergency by ensuring that checks will continue to be processed through the payment system with limited interruption. We must ensure that our banking system operates as efficiently as possible, while preserving safety and soundness.

Check 21 achieves these goals by improving our payment system and encouraging the electronic movement of checks across the country. At the same time, this measure benefits consumers by maintaining current protections in the payment system and ensuring that consumers have the ability to retrieve improperly debited funds and are given information on the operation of this new system. Check 21 grants banks useful tools to improve the delivery of services to their customers and expedite the flow of funds through the system.

Finally, I want to point out that the conferees included provisions in this conference report which will address concerns of the Federal Reserve and the Treasury Department relating to currency collateralization and compensating balances.

Mr. Speaker, this is an excellent bill that deserves the support of all of my colleagues, and I urge everyone to cast

an "aye" vote on the conference report.

Mr. Speaker, I reserve the balance of my time.

Mr. FORD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is always good to see a gentleman from Tennessee in the Speaker's Chair. I thank the gentleman from Ohio (Chairman OXLEY) for his leadership on this and many other issues. I also thank the gentleman from Massachusetts (Mr. FRANK) for his leadership, not only on this set of issues, but the way in which he and the gentleman from Ohio (Chairman OXLEY) worked together and the way he leads our side on all of the critical issues that come before the committee.

Mr. Speaker, let me thank the gentlewoman from Pennsylvania (Ms. HART) and my friend, the gentleman from New Jersey (Mr. FERGUSON). I rise in support, obviously, of this Check 21 conference report. Both the gentlewoman from Pennsylvania (Ms. HART) and the gentleman from New Jersey (Mr. FERGUSON) were key and original sponsors of the legislation, and it was a pleasure to work with both of them.

I also want to thank the gentleman from Alabama (Chairman BACHUS), again, the gentleman from Ohio (Chairman OXLEY), the gentleman from Massachusetts (Mr. FRANK) and the gentleman from Vermont (Mr. SANDERS) for their stewardship of this bill through the committee and the conference with the Senate. I had my chance to serve on my first conference committee. I did not say anything. If that is the standard for getting things done like you want, I will be happy to follow that from here on out.

As I say, this is a good bill for all of my colleagues in the Congress. I might add, from a consumer perspective, it is probably one of the more important pieces of legislation to come out of this committee and in this session.

The intent of Check 21, as the gentleman from Ohio (Mr. OXLEY) indicated, is very simple: It is to modernize the Nation's check payment system and enable it to keep pace with new technologies. Check 21 will bring the benefits of new technologies to more consumers, while strengthening our finance system.

In recent years, the financial system of this country has undergone tremendous change. Technology has brought the world closer together and accelerated speed of business. Millions of dollars can flow across the continent and across oceans with the click of a mouse. Consumers and businesses are making increasing use of credit cards, debit cards, direct deposits, electronic funds transfers and other electronic forms of payment.

At the same time, checks remain a vital and extremely popular form of payment. Millions of Americans rely on checks to pay house rent, monthly bills, groceries and many other kinds of purchases and expenses. This year, upwards of 60 billion checks will be written in the United States.

According to the Federal Reserve Board, the volume of checks peaked in the 1990s and checks will remain an indispensable part of our financial system and our economy for decades to come.

Check 21 will bring the check payment system into the 21st Century, and, in doing so, help preserve the institution of the check by creating more efficiencies. By making check processing more efficient and more cost-effective on the back end, we can make sure more consumers, particularly seniors in this country, have the option of writing checks on the front end.

Here is how Check 21 works. It unleashes innovation by removing legal obstacles to check truncation. Check truncation is when information on a paper check is captured off the check and delivered electronically, instead of the paper check being presented physically. Through check truncation, paper checks are rendered into zeros and ones, digital signals which can move through the payments system at digital speeds.

In crafting this bill, my colleagues and I shared the goals articulated by the Fed when it drafted the Check Truncation Act. We wanted to find a way to facilitate check truncation and foster innovation without mandating the receipt of checks in electronic form.

It is important that banks, businesses and consumers continue to have the option of accepting checks in paper form. Check 21 accomplishes this by establishing a new negotiable instrument, a substitute check with the same legal status as original checks. These substitute checks would contain a two-faced image of the original check. They would include the magnetic code at the bottom, so that any bank can process them, using existing equipment, and conform to standards for size, paper stock and the like. These substitute checks can be used by banks and consumers in the same way as original checks.

So why is check truncation a good thing? The gentleman from Ohio (Mr. OXLEY) has spoken to it already. But according to Roger Ferguson, the Vice Chairman of the Federal Reserve, check truncation "reduces the number of times a check must be physically processed and shipped. As a result, check truncation is generally more efficient, more cost-effective, less prone to processing errors and fraud." It sounds like a good thing for consumers.

I might add that with the help of many of our colleagues on the committee, particularly the gentleman from North Carolina (Mr. WATT), as well as the gentleman from Alabama (Mr. DAVIS), we were able to address some of the concerns raised by consumers related to consumer protections and trying to ensure that all of the protections provided in the Uniform Commercial Code would indeed be afforded to consumers under this bill.

I have a long statement which my staff put together, an exhaustive state-

ment. The gentleman from Ohio (Mr. OXLEY) has pretty much walked through all of these issues.

Mr. Speaker, I rise in support of the conference report on the Check 21 Act, which I was proud to introduce with the gentlelady from Pennsylvania, Ms. HART, and the gentleman from New Jersey, Mr. FERGUSON.

I want to thank Chairman BACHUS, Chairman OXLEY, and Ranking Members FRANK and SANDERS for their stewardship of this bill through the Financial Services Committee and the conference with the Senate. This is a good bill that has gotten stronger from a consumer perspective, and I would urge my colleagues' support.

The intent of Check 21 is simple—to modernize the Nation's check payment system and enable it to keep pace with 21st century technology. Check 21 will bring the benefits of new technologies to more consumers while strengthening the financial system, which is the very lifeblood of our economy.

In recent years, our financial system has undergone tremendous changes. Technology has brought the world closer together and accelerated the speed of business. Millions of dollars can flow across the continent and across oceans with the click of a mouse. Consumers and businesses are making increasing use of credit cards, debit cards, direct deposits, electronic funds transfers, and other electronic forms of payment.

At the same time, checks remain a vital and extremely popular form of payment. Millions of Americans rely on checks to pay house notes, monthly bills, groceries—and countless other kinds of purchases and expenses. This year, upwards of 60 billion checks will be written in the United States. According to the Fed, the volume of checks peaked in the 1990s—but checks will remain an indispensable part of our financial system and our economy for decades to come.

Check 21 will bring the check payment system into the 21st century, and in so doing, help preserve the institution of the check. By making check processing more efficient and more cost-effective on the back end, we can make sure more consumers have the option of writing checks on the front end.

The technology to make the check system more efficient exists, and is already in use. But the legal framework behind the check payment system has not kept up with technological advances. Under today's system, millions of paper checks are physically transported every night, by ground and by air. Checks move from the bank to which they are deposited, to any number of intermediary banks, check processors, and/or the Federal Reserve, then are sent to the paying bank, and finally, in some cases, back to the person who wrote the check.

The problem is that under current law, unless a bank enters an agreement with another bank to process payments electronically, the banks must physically exchange the original paper checks. This outdated legal framework can only be described as clumsy and inefficient. It's unnecessarily slow, and it prevents millions of consumers from realizing the benefits of new technologies.

Another weakness of the current system—one with potentially severe consequences for the economy—was exposed on September 11, 2001. When the Nation's aviation system was grounded in those harrowing hours and

days after the terrorist attacks, millions of checks could not reach their destination. The Nation's payment system ground to a temporary halt.

Fortunately, due to the swift response of the Federal Reserve, banks all across the Nation, and the companies that transport checks, the 9/11 attacks did not cause major disruptions in the financial system. But 9/11 demonstrated that our check payment system is vulnerable to physical catastrophes—not only terrorist attacks but also natural disasters.

Check 21 unleashes innovation by removing legal obstacles to check truncation. The name "check truncation" is industry jargon, so let me try to explain what it is—and why it's a good thing. Check truncation is when the information on a paper check is captured off the check and delivered electronically—instead of the paper check being presented physically. Through check truncation, paper checks are rendered into zeroes and ones—digital signals which can move through the payments system at digital speeds.

In crafting this bill, my colleagues and I shared the goals articulated by the Fed when it drafted the Check Truncation Act, which this bill is largely based on. We wanted to find a way to facilitate check truncation and foster innovation "without mandating the receipt of checks in electronic form. . . ." It is important that banks, businesses, and consumers continue to have the option of accepting checks in paper form.

Check 21 accomplishes this by establishing a new negotiable instrument, a "substitute check," with the same legal status as original checks. These substitute checks would contain a two-faced image of the original check. They would include the magnetic code at the bottom so that any bank could process them using existing equipment. And they would conform to standards for size, paper stock, and the like. These substitute checks can be used by banks and consumers in the same way as original checks.

So why is check truncation a good thing? According to Roger Ferguson, Vice Chairman of the Federal Reserve, check truncation "reduces the number of times the check must be physically processed and shipped. As a result, check truncation is generally more efficient, more cost effective and less prone to processing errors and fraud."

Check 21 is a strongly pro-consumer bill. Consumers will benefit in a number of ways.

First, Check 21 will promote efficiency in the banking system by lessening the need for the physical transportation of checks, which is costly and resource-intensive. As banks compete for their business, consumers will benefit from lower costs and expedited services.

Second, banks will be enabled to compete with each other to offer new products and services, such as online access and review of check images, which gives consumers instant access to their checks, day or night. If a consumer makes an inquiry about a check, his or her bank's customer services representatives will be able to access and review the check instantly. This can sharply reduce the time for customer inquiries.

Millions of consumers already enjoy these services, including members of the Congressional Federal Credit Union here on Capitol Hill, as well as credit unions in communities across the country. Credit unions have had check truncation for two decades and by all accounts it has been a great success.

Consumers may also benefit from more deposit options. Because electronic processing could eliminate the need for daily physical pick-up of checks, consumers could enjoy extended deposit cutoff hours and deposit services at ATMs in remote or underserved urban and rural areas.

Third, this streamlined system will reduce the disruptions caused by bad checks. By speeding up the check clearing system, individuals will be notified faster if their check—or checks written to them—have not cleared. This will reduce the likelihood that a single bounced check will result in a “chain reaction” of bounced checks.

Fourth, Check 21 establishes a new and important consumer protection—an expedited recredit for contested substitute checks. A consumer who raises a dispute because a check that has been rendered into a substitute has been improperly charged to his account will receive a recredit within 10 business days, for amounts up to \$2,500. This “right of recredit” is an important part of this bill.

Although the House and Senate bills were structurally similar, the conference report reconciles some important differences. And in each case, the conference adopted the pro-consumer position.

The conference report adopts the Senate language on the timing of the recredit procedure. Consumers will have 40 days to submit claims for recredit, as opposed to 30 days in the original House bill. Consumers facing extenuating circumstances will have that period extended “for a reasonable amount of time,” rather than 30 days in the House bill. The conference report retains the language of an amendment that Mr. DAVIS of Alabama introduced in Committee, which stipulated that the consumer need not currently be in possession of the substitute check to enjoy the right of expedited recredit.

The conference report adopts the House language requiring banks to describe the process of check substitution for all new and existing customers. In the Senate bill, this consumer notice would expire after three years. The conference report makes it permanent.

The conference report includes language requiring the Federal Reserve Board to publish data regarding the costs and revenue of transporting checks. I would like to commend the Fed and the transportation company AirNet for helping to negotiate this compromise language.

Finally, the House bill would have gone into effect 18 months after enactment—the conference report adopts the Senate position of a 12-month effective date.

In conclusion, Check 21 will make our payments system stronger and more efficient. In so doing, it will protect our economic security and promote economic growth. I am proud to have introduced Check 21 with Ms. HART and Mr. FERGUSON. I respectfully urge my colleagues’ support for this bipartisan, common-sense, pro-consumer bill.

Mr. Speaker, I yield such time as he may consume to my friend, the gentleman from Texas (Mr. HINOJOSA).

Mr. HINOJOSA. Mr. Speaker, I want to thank my good friend and colleague from the great State of Tennessee for yielding time.

Mr. Chairman, I wish to echo the accolades given to leaders on both sides of the aisle who made it possible to get

H.R. 1474 to this point in the process. In particular I wish to acknowledge and thank the gentleman from Ohio (Chairman OXLEY) and the ranking member, the gentleman from Massachusetts (Mr. FRANK).

Mr. Speaker, I rise in strong support for the conference report to accompany H.R. 1474, the Check Clearing for the 21st Century Act. I cosponsored virtually identical legislation last Congress, and I am glad to be an original cosponsor of H.R. 1474 this year and to support this conference report.

Under current law, a bank may clear checks electronically only if it has entered into an agreement with another bank. H.R. 1474 would facilitate the use of check truncation by removing this requirement. This legislation authorizes, but does not mandate, banks to create an electronic image of a check, which can then be sent to another bank, eliminating the physical transfer of the original check.

Recognizing that not all banks have the ability to send electronic transmission of a check, the conference report on H.R. 1474 authorizes the creation of substitute checks for payment. This substitute check would be used in place of the original paper check, and it would be a negotiable instrument. Banks that create an electronic check will be able to create a substitute check and use that for presentment to a bank that has not upgraded its system to accept electronic checks.

This conference report recognizes that there are several levels of consumer protections already. However, the bill would establish warranty and indemnification provisions to protect against any losses involved with the use of substitute checks. A consumer could make a written claim for recredit within 40 days of the date of receiving a periodic statement or the date the substitute check is made available to the customer, whichever date is later.

The customer could also submit a warranty claim on the substitute check if the production of the original check or better copy of the original check is necessary to determine the validity of a disputed claim.

To its credit, the conference report on H.R. 1474 would require banks to provide to existing customers and to new account holders a brief notice about the use of substitute checks and a description of the consumer’s right to recredit for improper payment.

Mr. Speaker, there are many more provisions of this conference report that I support and could discuss, but will refrain from doing so at this time.

□ 1045

Mr. OXLEY. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Alabama (Mr. BACHUS), the chairman of the Subcommittee on Financial Institutions.

Mr. BACHUS. Mr. Speaker, this legislation is just the latest example of legislation which has moved through the

Committee on Financial Services this year. Like deposit insurance reform, like the Fair Credit Reporting Act, like other legislation, it would not have been possible without the leadership of the chairman of this committee, the gentleman from Ohio (Mr. OXLEY). I think that there is probably not a Member of this body who would not agree that he has served in an outstanding manner and has had more success than I can remember in the 10 years I have served on the committee. So this is a salute to his leadership.

I also want to thank the gentleman from Massachusetts (Mr. FRANK), the ranking member on the other side, who has worked very closely with the chairman.

With this particular legislation we have been very fortunate on our side, because of the gentleman from New Jersey (Mr. FERGUSON) and the gentlewoman from Pennsylvania (Ms. HART), who is the sponsor of this legislation and will address some of the particulars of it, who are very knowledgeable Members, very active Members. The gentleman from Tennessee (Mr. FORD) has done an outstanding job on his side.

As my colleague, the gentleman from Alabama (Mr. DAVIS), said when this bill came up for debate on the House floor, this is a good bill for consumers, and it is a good bill for the industry. We had the support of various consumer groups. Consumers Union, Consumers Federation of America, United States Public Interest Research Group, and the industry worked very hard on this bill. And I think it is a tribute to what a fine piece of legislation we have that we actually had a recorded vote on this with 429 Members voting “yes” and no Members voting “no.”

The gentleman from Tennessee (Mr. FORD) mentioned the staff when this bill came up before. Those on the Democratic side that contributed: Kevin Swab, Jaime Lizarraga, and Jim Wert worked very hard with the gentleman from Tennessee (Mr. FORD) and the gentlewoman from Pennsylvania (Ms. HART), from legislative counsel. On our side we had Kevin MacMillan who sort of led the effort, Hugh Halpern, Dina Ellis, Jim Clinger, Carter McDowell, Karen Lynch, and also, of course, Bob Foster. The gentleman from Ohio (Mr. OXLEY) is to be saluted again for assembling such a wonderful staff as worked on this bill.

Let me just conclude by saying that what this bill does, to me, more than anything else, and the most significant thing about it, it makes America more competitive in the world market. It makes our economy stronger; it makes our economy better. By making our economy stronger, by making it better, by making it more efficient, it is a job which I think will encourage job formation in America. It will keep jobs from migrating overseas.

Today we have a law that has been on the books for 100 years, and this is the first year that we have actually made

significant changes to the way that we treat checks. Today, checks are returned to the bank that they were originally drawn on. When this legislation comes into being, we will basically update that law 100 years. The technology has really been here for 20 and 30 years to have done this, but the bipartisan effort and the leadership to get this bill has not been here. But today, they come together. The Senate has worked with the House, Democrats with the Republicans, and today we will bring our banking system, our transfer of checks into the 21st century.

Let me conclude by saying we have done this and we have also added new consumer protections that go beyond present law. We have done all of that, and we have done it in a unanimous, cooperative spirit.

So Mr. Speaker, this bill deserves the support of each and every Member of this body.

Mr. Speaker, present law requires that checks be returned to the bank where they were originally drawn, and that way of doing business has basically been the law and the procedure in this country for over 100 years. We have technology now that makes something else possible, and that is electronic transfer, as opposed to transfer of the paper check.

What we have in our country today is an antiquated process, which is also a tedious process, which each day involves as many as 10 to 12,000 cars, trucks and airplanes returning checks when none of this is necessary.

The credit unions some 20 years ago went away from this process. They have had zero consumer complaints. The largest banks have made agreements between banks, and they have gone away from this process; but today, two-thirds of the checks still are processed in this outdated manner.

What this House has done in a bipartisan way is take a bill that has been cosponsored by two of our most able Members, the gentleman from Pennsylvania (Ms. HART) and the gentleman from Tennessee (Mr. FORD), very aware of this issue, very knowledgeable on the issue, they have drafted this bill. The committee has looked at the bill. We have made changes to protect the consumer, slight changes. The bill as it exists today has been endorsed by the Federal Reserve, all the regulators, all the financial institutions involved, all the trade groups, consumer groups. It is a model for what this House can do when it puts aside its differences and works together for the good of the Nation as a whole.

This bill is good for customers. This bill is good for consumers. This bill is good for the economy.

We have talked about little things such as airport congestion, how this will help address that, congestion on the roadway, our energy dependence.

I want to commend, in closing, the gentleman from Ohio (Mr. OXLEY), who has made this one of his three goals for this year to move this legislation; the gentleman from Massachusetts (Mr. FRANK), the ranking member, who identified this as necessary legislation.

My colleagues may say, well, this ought to be simple. For 20 years we tried to reform our check-clearing process. We have not been

able to do it until this moment. This House today I think will take a historic step in making us more competitive in the world economy by bringing our check-clearing system up to a model for the world.

Mr. Speaker, I commend the gentleman from Tennessee (Mr. FORD) and the gentleman from Pennsylvania (Ms. HART).

Mr. FORD. Mr. Speaker, I yield such time as he may consume to our ranking member, the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Speaker, I am very pleased to be here to support this bill. It is a good example of what the Committee on Financial Services can do when it is allowed to work out legislative matters in a cooperative way, as we have done here. I am particularly pleased with the work done by two of the younger Members on our side, the gentleman from Tennessee (Mr. FORD), who is managing this bill here, because that is a reflection of the initiatives he has taken, and also as the gentleman from Alabama, the chairman of the subcommittee, was gracious enough to mention, his Alabama colleague, the gentleman from Alabama (Mr. DAVIS), has also played a major role.

What we have here is what ought to be the model and, I am pleased to say, has for much of this year been the model for legislation coming from our committee, which is a recognition of the importance of the market, a recognition that we have a responsibility to structure the rules so that the capitalist system can function to its maximum but, at the same time, recognizing that there will be issues that will not be resolved purely by the working of the market. We add protections for consumers. We add measures that deal with social concerns in ways that do not interfere with the market. I think that is our job. Our job is to recognize that the market is a wonderful mechanism for creating wealth, it does not do everything, and that we have a responsibility to add to those market mechanisms things that will deal with other issues, but in ways that will not detract from the functioning of the market.

In this bill we allow the banks to do the check truncation that will greatly promote efficiency. Consumers who have a need for copies of their checks can get them. There is the recredit provision that has already been described. So I am very proud that we have here, as I said, a model of what we ought to be doing; a measure which allows, and basically this is what we are doing, we are updating the basic law so that the private sector can take full advantage of evolving technology; and we are doing it in a way that we believe fully protects the legitimate interests and concerns of consumers.

Mr. Speaker, I am very pleased that we were able to bring this bill forward. I thank the gentleman from Tennessee (Mr. FORD) for his time and, more important, for the work he has done on this bill.

Mr. OXLEY. Mr. Speaker, I am pleased to yield 5 minutes to the gentlewoman from Pennsylvania (Ms. HART), the author of the legislation, along with the gentleman from Tennessee.

Ms. HART. Mr. Speaker, I would like to thank my chairman, the gentleman from Ohio (Mr. OXLEY); my subcommittee chairman, the gentleman from Alabama (Mr. BACHUS); my colleague, the gentleman from Tennessee (Mr. FORD) and fellow sponsor of this legislation in the House; as well as the ranking member, the gentleman from Massachusetts (Mr. FRANK), for working together so well to get this legislation completed.

Check Clearing for the 21st Century or, as we call it, Check 21, holds the promise of a much more efficient check collection system by removing legal barriers to full utilization of new technology. It is very simple. It is a win for consumers; it is a win for the financial services industry. It will empower banks to help prevent fraud and empower consumers with more control over their accounts. It also empowers them with more efficiency in availability of their funds.

Thanks also to the staff who worked very well with the Senate regarding the conference committee during the period of time we needed to iron out a few issues with the Senate. I also want to thank the chairman in the Senate, Senator SHELBY, for working together with us so well.

Basically, our current legal framework has not kept up with technological advances. It has constrained the efforts of many banks to use innovations like digital check imaging, to improve check processing efficiency, providing improved services to customers, and substantial reductions in transportation and other check processing costs. It is important to implement these new technologies that are made in the field of payments to provide customers with those benefits I mentioned earlier, expedited access to capital and credit while ensuring, at the same time, they are more protected from fraud.

The legislation permits banks, credit unions, and all financial institutions to truncate checks. That allows them to process and clear these checks electronically, without moving the paper check through the clearinghouses and having them flown across the country.

The bill allows us to use something called a substitute check. And if you look at what a substitute check looks like, it might look awfully familiar to you. It actually looks just like a check. That substitute check contains all of the information that is on a check. In fact, that check will not be a substitute check unless it contains all of that information. It permits banks then to move this information just as it would move a canceled check; but, obviously, it will be much more efficient because planes do not have to fly the substitute checks across the country.

This substitute check would be the legal equivalent of the original check. It would include all the information, as I said, contained in the original check, the imaging on the front, the imaging on the back, including the signature, and then especially the machine-readable numbers that are normally at the bottom of your check. They can be processed just like original checks. The bank would not need to invest in any new technology or otherwise change its current check processing system unless it chooses to do so.

As was mentioned earlier, consumers will benefit in multiple ways. But the most important, I believe, is the efficiency of the system. Consumer protections are important as well. Consumers can keep that canceled check in their own records. It will also be kept at easy access in the financial institution, the same check. You do not have to chase down one canceled check.

So this is a win, really, for everyone involved. I am pleased to have been the sponsor of the bill in the House. I am pleased to have worked with everyone as part of this process. As we learned during the time where all the planes were grounded after September 11, it was very important for us to move forward because our financial system was pretty much stopped in its tracks when planes could not fly these canceled checks around the country. It is important for us to move forward. I am pleased we have the technology, and I am pleased that this Congress has recognized our responsibility to make this system much more efficient.

Mr. FORD. Mr. Speaker, I yield myself 1 minute.

Not having any other speakers, I do not know if the gentleman from Massachusetts (Mr. FRANK) is still on the floor, but I want to thank him again for his leadership on this legislation and the ease which I think all of the committee finds in working with him; and reiterate again, to the gentleman from Alabama (Chairman BACHUS), to thank him; and to Jeanne Roslanowick and Jaime Lizarraga and Ken Swab and Erika Jeffers, with whom I attended law school; and Lawranne Stewart; and, of course, Kevin MacMillan and Hugh Halpern; and the rest of the team on the other side, Carter and Dina and Bob; thank you as well. It was a pleasure to work with all of you, I know, on behalf of Scott Keefer and Luke Iglehart; also on my staff, who worked closely with them.

This is a good bill. I hope my colleagues see fit to support it. All of the benefits have been touted. I thank the gentlewoman from Pennsylvania (Ms. HART) again for her hard work, and I thank the gentleman from New Jersey (Mr. FERGUSON) again for his initiating this legislation.

With that being said and there are no other speakers on our side, I yield back the balance of my time.

Mr. OXLEY. Mr. Speaker, I yield myself such time as I may consume.

Just in closing, let me say, this is indeed I think a classic example of how

the legislative process ought to work around here. This was an interesting exercise because it was in this case the recognition that the technology was out there to make our banking system far more efficient instead of flying all of these checks all around. Unfortunately, it was the terrible incident of 9-11 that really made us realize how fragile that system is and how we can change it for the better.

I had an opportunity to visit NCR, one of our fine Ohio corporations, a couple of years ago to actually see that technology and see how it could work; and that became really the germ behind the bill that we have before us today. It was some of the newer Members, the gentlewoman from Pennsylvania (Ms. HART) and the gentleman from Tennessee (Mr. FORD), who really took the bull by the horns and moved this legislation through. I owe a great deal of thanks to them for their hard work and tenacity in putting this bill together.

Somebody once said that when a great athlete is recognized as great, he makes things look easy. I am not referring to the gentleman from Tennessee (Mr. FORD), by the way. But when a great athlete like Sammy Sosa or somebody, they say they make it look easy and indeed, these folks made it look easy; and we are now on the verge of passing this legislation and sending it to the President. I think it is a proud day for the committee and those who were involved; the staff, who have been adequately thanked for their work, as well as the Members.

□ 1100

Mr. Speaker, I have no further speakers, I yield back the balance of my time, and I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

PENSION FUNDING EQUITY ACT OF 2003

Mr. BOEHNER. Mr. Speaker, pursuant to the prior order of the House of October 7, 2003, I call up the bill (H.R. 3108) to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to temporarily replace the 30-year Treasury rate with a rate based on long-term corporate bonds for certain pension plan funding requirements and other provisions, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. SIMMONS). Pursuant to the order of the House of Tuesday, October 7, 2003, the bill is considered read for amendment.

The text of H.R. 3108 is as follows:

H.R. 3108

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Pension Funding Equity Act of 2003".

SEC. 2. FINDINGS; SENSE OF CONGRESS.

(a) FINDINGS.—The Congress finds the following:

(1) The defined benefit pension system has recently experienced severe difficulties due to an unprecedented economic climate of low interest rates, market losses, and an increased number of retirees.

(2) The discontinuation of the issuance of 30-year Treasury securities has made the interest rate on such securities an inappropriate and inaccurate benchmark for measuring pension liabilities.

(3) Using the current 30-year Treasury bond interest rate has artificially inflated pension liabilities and therefore adversely affected both employers offering defined benefit pension plans and working families who rely on the safe and secure benefits that these plans provide.

(4) There is consensus among pension experts that an interest rate based on long-term, conservative corporate bonds would provide a more accurate benchmark for measuring pension plan liabilities.

(5) A temporary replacement for the 30-year Treasury bond interest rate should be enacted while the Congress evaluates permanent and comprehensive funding reforms.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that the Congress must ensure the financial health of the defined benefit pension system by working to promptly implement—

(1) a permanent replacement for the pension discount rate used for defined benefit pension plan calculations, and

(2) comprehensive funding reforms aimed at achieving accurate and sound pension funding to enhance retirement security for workers who rely on defined pension plan benefits, to reduce the volatility of contributions, to provide plan sponsors with predictability for plan contributions, and to ensure adequate disclosures for plan participants in the case of underfunded pension plans.

SEC. 3. TEMPORARY REPLACEMENT OF 30-YEAR TREASURY RATE.

(a) EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.—

(1) DETERMINATION OF PERMISSIBLE RANGE.—

(A) IN GENERAL.—Clause (ii) of section 302(b)(5)(B) of the Employee Retirement Income Security Act of 1974 is amended by redesignating subclause (II) as subclause (III) and by inserting after subclause (I) the following new subclause:

"(II) SPECIAL RULE FOR YEARS 2004 AND 2005.—In the case of plan years beginning after December 31, 2003, and before January 1, 2006, the term 'permissible range' means a rate of interest which is not above, and not more than 10 percent below, the weighted average of the rates of interest on amounts conservatively invested in long-term corporate bonds during the 4-year period ending on the last day before the beginning of the plan year. Such rates shall be determined by the Secretary on the basis of one or more indices selected periodically by the Secretary, and the Secretary shall make the permissible range publicly available."

(B) SECRETARIAL AUTHORITY.—Subclause (III) of section 302(b)(5)(B)(ii) of such Act, as redesignated by subparagraph (A), is amended—

(i) by inserting "or (II)" after "subclause (I)" the first place it appears, and

(ii) by striking "subclause (I)" the second place it appears and inserting "such subclause".

(C) CONFORMING AMENDMENT.—Subclause (I) of section 302(b)(5)(B)(ii) of such Act is

amended by inserting “or (III)” after “subclause (II)”.

(2) DETERMINATION OF CURRENT LIABILITY.—Clause (i) of section 302(d)(7)(C) of such Act is amended by adding at the end the following new subclause:

“(IV) SPECIAL RULE FOR 2004 AND 2005.—For plan years beginning in 2004 or 2005, notwithstanding subclause (I), the rate of interest used to determine current liability under this subsection shall be the rate of interest under subsection (b)(5).”.

(3) PBGC.—Clause (iii) of section 4006(a)(3)(E) of such Act is amended by adding at the end the following new subclause:

“(V) In the case of plan years beginning after December 31, 2003, and before January 1, 2006, the annual yield taken into account under subclause (II) shall be the annual yield determined by the Secretary of the Treasury on amounts conservatively invested in long-term corporate bonds for the month preceding the month in which the plan year begins. For purposes of the preceding sentence, the Secretary of the Treasury shall determine such yield on the basis of one or more indices selected periodically by the Secretary, and the Secretary shall make such yield publicly available.”.

(b) INTERNAL REVENUE CODE OF 1986.—

(1) DETERMINATION OF PERMISSIBLE RANGE.—

(A) IN GENERAL.—Clause (ii) of section 412(b)(5)(B) of the Internal Revenue Code of 1986 is amended by redesignating subclause (II) as subclause (III) and by inserting after subclause (I) the following new subclause:

“(II) SPECIAL RULE FOR YEARS 2004 AND 2005.—In the case of plan years beginning after December 31, 2003, and before January 1, 2006, the term ‘permissible range’ means a rate of interest which is not above, and not more than 10 percent below, the weighted average of the rates of interest on amounts conservatively invested in long-term corporate bonds during the 4-year period ending on the last day before the beginning of the plan year. Such rates shall be determined by the Secretary on the basis of one or more indices selected periodically by the Secretary, and the Secretary shall make the permissible range publicly available.”.

(B) SECRETARIAL AUTHORITY.—Subclause (III) of section 412(b)(5)(B)(ii) of such Code, as redesignated by subparagraph (A), is amended—

(i) by inserting “or (II)” after “subclause (I)” the first place it appears, and

(ii) by striking “subclause (I)” the second place it appears and inserting “such subclause”.

(C) CONFORMING AMENDMENT.—Subclause (I) of section 412(b)(5)(B)(ii) of such Code is amended by inserting “or (III)” after “subclause (II)”.

(2) DETERMINATION OF CURRENT LIABILITY.—Clause (i) of section 412(l)(7)(C) of such Code is amended by adding at the end the following new subclause:

“(IV) SPECIAL RULE FOR 2004 AND 2005.—For plan years beginning in 2004 or 2005, notwithstanding subclause (I), the rate of interest used to determine current liability under this subsection shall be the rate of interest under subsection (b)(5).”.

(3) CONFORMING AMENDMENT.—Section 415(b)(2)(E)(ii) of such Code is amended by inserting before the period at the end “, except that in the case of years beginning in 2004 or 2005, ‘5.5 percent’ shall be substituted for ‘5 percent’ in clause (i)”.

(c) PROVISIONS RELATING TO PLAN AMENDMENTS.—

(1) IN GENERAL.—If this subsection applies to any plan or annuity contract amendment—

(A) such plan or contract shall be treated as being operated in accordance with the

terms of the plan or contract during the period described in paragraph (2)(B)(i), and

(B) except as provided by the Secretary of the Treasury, such plan shall not fail to meet the requirements of section 411(d)(6) of the Internal Revenue Code of 1986 and section 204(g) of the Employee Retirement Income Security Act of 1974 by reason of such amendment.

(2) AMENDMENTS TO WHICH SECTION APPLIES.—

(A) IN GENERAL.—This subsection shall apply to any amendment to any plan or annuity contract which is made—

(i) pursuant to any amendment made by this section, and

(ii) on or before the last day of the first plan year beginning on or after January 1, 2006.

In the case of a governmental plan (as defined in section 414(d) of the Internal Revenue Code of 1986), this paragraph shall be applied by substituting “2008” for “2006”.

(B) CONDITIONS.—This subsection shall not apply to any plan or annuity contract amendment unless—

(i) during the period beginning on the date the amendment described in subparagraph (A)(i) takes effect and ending on the date described in subparagraph (A)(ii) (or, if earlier, the date the plan or contract amendment is adopted), the plan or contract is operated as if such plan or contract amendment were in effect; and

(ii) such plan or contract amendment applies retroactively for such period.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), the amendments made by this section shall apply to years beginning after December 31, 2003.

(2) LOOKBACK RULES.—For purposes of applying subsections (l)(9)(B)(ii) and (m)(1) of section 412 of the Internal Revenue Code of 1986 and subsections (d)(9)(B)(ii) and (e)(1) of section 302 of the Employee Retirement Income Security Act of 1974 to plan years beginning after December 31, 2003, the amendments made by this section may be applied as if such amendments had been in effect for all years beginning before such date.

(3) NO REDUCTION REQUIRED.—In the case of any participant or beneficiary, the amount payable under any form of benefit subject to section 417(e)(3) of the Internal Revenue Code of 1986 shall not be required to be reduced below the amount determined as of the last day of the last plan year beginning before January 1, 2004, merely because of the amendments made by subsection (b)(3).

The SPEAKER pro tempore. The amendment designated in the previous order of the House is adopted.

The text of the amendment in the nature of a substitute is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Pension Funding Equity Act of 2003”.

SEC. 2. FINDINGS; SENSE OF CONGRESS.

(a) FINDINGS.—The Congress finds the following:

(1) The defined benefit pension system has recently experienced severe difficulties due to an unprecedented economic climate of low interest rates, market losses, and an increased number of retirees.

(2) The discontinuation of the issuance of 30-year Treasury securities has made the interest rate on such securities an inappropriate and inaccurate benchmark for measuring pension liabilities.

(3) Using the current 30-year Treasury bond interest rate has artificially inflated pension liabilities and therefore adversely affected

both employers offering defined benefit pension plans and working families who rely on the safe and secure benefits that these plans provide.

(4) There is consensus among pension experts that an interest rate based on long-term, conservative corporate bonds would provide a more accurate benchmark for measuring pension plan liabilities.

(5) A temporary replacement for the 30-year Treasury bond interest rate should be enacted while the Congress evaluates permanent and comprehensive funding reforms.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that the Congress must ensure the financial health of the defined benefit pension system by working to promptly implement—

(1) a permanent replacement for the pension discount rate used for defined benefit pension plan calculations, and

(2) comprehensive funding reforms aimed at achieving accurate and sound pension funding to enhance retirement security for workers who rely on defined pension plan benefits, to reduce the volatility of contributions, to provide plan sponsors with predictability for plan contributions, and to ensure adequate disclosures for plan participants in the case of underfunded pension plans.

SEC. 3. TEMPORARY REPLACEMENT OF 30-YEAR TREASURY RATE.

(a) EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.—

(1) DETERMINATION OF PERMISSIBLE RANGE.—

(A) IN GENERAL.—Clause (ii) of section 302(b)(5)(B) of the Employee Retirement Income Security Act of 1974 is amended by redesignating subclause (II) as subclause (III) and by inserting after subclause (I) the following new subclause:

“(II) SPECIAL RULE FOR YEARS 2004 AND 2005.—In the case of plan years beginning after December 31, 2003, and before January 1, 2006, the term ‘permissible range’ means a rate of interest which is not above, and not more than 10 percent below, the weighted average of the rates of interest on amounts conservatively invested in long-term corporate bonds during the 4-year period ending on the last day before the beginning of the plan year. Such rates shall be determined by the Secretary on the basis of one or more indices selected periodically by the Secretary, and the Secretary shall make the permissible range publicly available.”.

(B) SECRETARIAL AUTHORITY.—Subclause (III) of section 302(b)(5)(B)(ii) of such Act, as redesignated by subparagraph (A), is amended—

(i) by inserting “or (II)” after “subclause (I)” the first place it appears, and

(ii) by striking “subclause (I)” the second place it appears and inserting “such subclause”.

(C) CONFORMING AMENDMENT.—Subclause (I) of section 302(b)(5)(B)(ii) of such Act is amended by inserting “or (III)” after “subclause (II)”.

(2) DETERMINATION OF CURRENT LIABILITY.—Clause (i) of section 302(d)(7)(C) of such Act is amended by adding at the end the following new subclause:

“(IV) SPECIAL RULE FOR 2004 AND 2005.—For plan years beginning in 2004 or 2005, notwithstanding subclause (I), the rate of interest used to determine current liability under this subsection shall be the rate of interest under subsection (b)(5).”.

(3) PBGC.—Clause (iii) of section 4006(a)(3)(E) of such Act is amended by adding at the end the following new subclause:

“(V) In the case of plan years beginning after December 31, 2003, and before January 1, 2006, the annual yield taken into account under subclause (II) shall be the annual yield determined by the Secretary of the Treasury

on amounts conservatively invested in long-term corporate bonds for the month preceding the month in which the plan year begins. For purposes of the preceding sentence, the Secretary of the Treasury shall determine such yield on the basis of one or more indices selected periodically by the Secretary, and the Secretary shall make such yield publicly available."

(b) INTERNAL REVENUE CODE OF 1986.—

(1) DETERMINATION OF PERMISSIBLE RANGE.—

(A) IN GENERAL.—Clause (ii) of section 412(b)(5)(B) of the Internal Revenue Code of 1986 is amended by redesignating subclause (II) as subclause (III) and by inserting after subclause (I) the following new subclause:

"(II) SPECIAL RULE FOR YEARS 2004 AND 2005.—In the case of plan years beginning after December 31, 2003, and before January 1, 2006, the term 'permissible range' means a rate of interest which is not above, and not more than 10 percent below, the weighted average of the rates of interest on amounts conservatively invested in long-term corporate bonds during the 4-year period ending on the last day before the beginning of the plan year. Such rates shall be determined by the Secretary on the basis of one or more indices selected periodically by the Secretary, and the Secretary shall make the permissible range publicly available."

(B) SECRETARIAL AUTHORITY.—Subclause (III) of section 412(b)(5)(B)(ii) of such Code, as redesignated by subparagraph (A), is amended—

(i) by inserting "or (II)" after "subclause (I)" the first place it appears, and

(ii) by striking "subclause (I)" the second place it appears and inserting "such subclause".

(C) CONFORMING AMENDMENT.—Subclause (I) of section 412(b)(5)(B)(ii) of such Code is amended by inserting "or (II)" after "subclause (II)".

(2) DETERMINATION OF CURRENT LIABILITY.—Clause (i) of section 412(l)(7)(C) of such Code is amended by adding at the end the following new subclause:

"(IV) SPECIAL RULE FOR 2004 AND 2005.—For plan years beginning in 2004 or 2005, notwithstanding subclause (I), the rate of interest used to determine current liability under this subsection shall be the rate of interest under subsection (b)(5)."

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to years beginning after December 31, 2003.

(2) LOOKBACK RULES.—For purposes of applying subsections (l)(9)(B)(ii) and (m)(l) of section 412 of the Internal Revenue Code of 1986 and subsections (d)(9)(B)(ii) and (e)(l) of section 302 of the Employee Retirement Income Security Act of 1974 to plan years beginning after December 31, 2003, the amendments made by this section may be applied as if such amendments had been in effect for all years beginning before such date.

The SPEAKER pro tempore. The gentleman from Ohio (Mr. BOEHNER), the gentleman from California (Mr. GEORGE MILLER), the gentleman from California (Mr. THOMAS), and the gentleman from Michigan (Mr. LEVIN), each will control 15 minutes.

The Chair recognizes the gentleman from Ohio (Mr. BOEHNER).

GENERAL LEAVE

Mr. BOEHNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3108.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BOEHNER. Mr. Speaker, it was my understanding that the Committee on Ways and Means would control the first 30 minutes of debate on H.R. 3108, but considering that the chairman is not here as yet, let me, under my 15 minutes, yield myself such time as I may consume.

Mr. Speaker, we have a pension underfunding crisis in this country; and it has significant implications on the retirement security of the American workers. This chronic underfunding crisis we face among traditional defined benefit pension plans, the type that guarantees workers a set monthly benefit when they retire, is jeopardizing the pension benefits of millions of American workers who have worked all their lives for a safe and secure retirement.

The committee hearings we have conducted on this issue, which have included a joint hearing with the Committee on Ways and Means, demonstrated the critical nature of this problem and the need for a solution that will give workers a renewed sense of confidence that their pension savings are on a sound financial footing. This is precisely why I was joined by the gentleman from California (Mr. THOMAS), the gentleman from California (Mr. GEORGE MILLER), the gentleman from New York (Mr. RANGEL), the gentleman from Texas (Mr. JOHN-SON), who chairs our subcommittee, and the gentleman from Ohio (Mr. PORTMAN), my good friend and colleague, in producing legislation to address this underfunding problem.

The Pension Funding Equity Act, the bipartisan bill to be considered today, would protect the retirement benefits of millions of American workers in the short term while committing Congress to immediately proceed with efforts to identify permanent long-term solutions to this underfunding crisis.

This underfunding crisis has manifested itself in several ways. The termination of large underfunded pension plans in the steel and airlines industries, for example, has led to growing anxieties about the financial condition of the Federal Pension Benefit Guarantee Corporation and its ability to ensure the pension benefits of American workers across the country. Those concerns were sufficient to lead the General Accounting Office in July to include the PBGC on its list of high-risk programs that require increased Federal scrutiny because the PBGC's mounting deficit had grown to \$5.7 billion, the largest in history.

To make matters worse, the PBGC recently announced that there are some \$80 billion in unfunded pension benefits looming on the horizon among financially weak companies, pension benefits that may ultimately have to be paid by the PBGC; and this poses a serious question of whether a taxpayer

bailout of the PBGC would be necessary if the alarming trend of underfunded pension plans and company plan failures continue.

One of the several reasons that defined benefit plans are in financial jeopardy is because the interest rate used by employers to calculate the amount of money they must set aside in their employee pension plans, the interest rate on the now discontinued 30-year Treasury bonds, has been at artificially low levels, therefore, inflating plan funding liabilities.

Congress enacted a temporary fix in March of 2002 by allowing employers to use a higher interest rate. But because this fix expires at the end of 2003, there is an urgency on the part of employers, unions, and workers to address this issue because of a growing consensus that this problem is putting the pension benefits of American workers at risk.

The bipartisan Pension Funding Equity Act represents a responsible short-term approach that would replace the 30-year Treasury interest rate with a blend of corporate bond index rates for 2 years through 2005. If Congress fails to provide a pension funding solution by the end of 2003, the benefits of millions of workers could be jeopardized.

Strengthening the funding of defined benefit pension plans in the short term will reduce the likelihood that the PBGC will have to step in and pay benefits to underfunded plans. Moreover, employers who are making major short-term financial decisions need greater certainty to make key decisions about how to allocate scarce resources. Doing nothing could jeopardize employers' willingness to continue the defined benefit programs that provide stable and secure pension benefits to workers during retirement.

The act before us today would help ensure the financial integrity of America's defined benefit plans in the short term while Congress takes a broader look at the defined benefit system and considers permanent solutions to the pension underfunding problems that are jeopardizing the retirement security of America's working families.

I again want to thank my colleagues, the gentleman from California (Mr. THOMAS), the gentleman from California (Mr. GEORGE MILLER), the gentleman from New York (Mr. RANGEL), the gentleman from Texas (Mr. JOHN-SON) and the gentleman from Ohio (Mr. PORTMAN) for working together in a bipartisan manner on this bill. I look forward to continuing to work with them and the administration as we move ahead, and I urge my colleagues to support the bill we have before us.

Mr. Speaker, I reserve the balance of my time.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Speaker, I rise in support of H.R.

3108, the Pension Funding Equity Act. This bill provides short-term relief to avert what otherwise might be an imminent pension crisis for American businesses and workers.

I want to thank the cooperation of the gentleman from Ohio (Mr. BOEHNER) for his work on this committee, the gentleman from California (Mr. THOMAS) and the gentleman from Michigan (Mr. LEVIN) and others for their support of this effort.

Pension plan funding requirements are tied to projected rates of investment return based upon 30-year Treasury note bills. In 2000, when the U.S. was running a budget surplus, the Clinton administration decided to retire the 30-year note. For that reason, we are now inserting that rate.

We expect the new Treasury rate to be slightly higher than the current rate, a rate which also will give employers a significant amount of pension funding relief in the midst of what remains a weak economy. Even though the additional pension fund flexibility will result in reduced pension funding for 2 years, it is our expectation that American businesses will use this time to shore up the resources and not terminate or default on their long-term pension promises.

During this time the Bush administration and the Congress must seriously consider a broader array of pension funding retirement security reforms that will more permanently protect and secure the retirement promises made to millions of American workers and retirees.

The threats to our long-term retirement security are real and they are severe. Workers are justifiably scared about their retirement security. The Bush administration and the Congress have done very little to protect workers' pensions and, in fact, they sometimes have acted to undermine retirement security. As soon as Congress passes this bill we need to start the hard work of meaningfully safeguarding workers' pensions.

The crisis we address today is not new. In fact, for over a year the Bush administration repeatedly ignored our urgent request to wake up to the serious problems of pension underfunding. I wrote the administration in July of 2002 to take action when pension deficits skyrocketed from \$26 billion to over \$100 billion. It failed to act.

Now, over a year later, the problem is substantially worse. The Pension Benefit Guarantee Corporation now says that pension plans are \$400 billion in the red nationally and the largest liability in history and that PBGC itself is reporting a \$5.7 billion deficit as of July 31.

The General Accounting Office is so concerned that it has placed PBGC on its list of Federal programs that are at high risk of failure. The administration and Congress' failure to take decisive action on pensions, their failed economic policies and neglect of our manufacturing industries and the failure of

some companies to honestly estimate their pension liabilities have together precipitated one of the largest underfunding of private pensions in history.

Today, hard-working Americans are taking it on the chin. Over 3 million private sector job workers have lost their jobs since 2001, and many of those jobs will not return. Workers in manufacturing sectors see their jobs vanish overseas and their industries ignored by this administration's economic policies.

Working families have already lost billions of dollars in irreplaceable life savings in their 401(k) plans as the stock market crumbled and corporate abuse ran rampant.

The pensions of millions of Americans are threatened by the administration's "cash balance" plan proposal and may cost older workers up to half of their expected pension benefits.

Today we see shenanigans in the mutual fund industry where so many millions of Americans have parked their pension fund share savings plans to secure their future retirement. We now see inside trading, trading by the big boys and sending the cost to those families that have put their money in many of these mutual funds. Some of the biggest companies that PBGC has taken over and put on the pension watch list have been able to exploit pension rules riddled with loopholes and escape hatches. Over the past few years companies have been permitted to publish their annual reports, rosy financial pictures about their pensions, while at the same time running plans into the ground through reductions and freezes on pension contribution.

Conflicts between company management's push for the bottom line and the plan's obligation to protect participants and workers clearly compromise safe and sound pension practices at many companies.

Worse still, current law allows the plan's real financial condition to be kept secret from the workers and investors. This failure of accountability and transparency has eerie similarities to the Enron Corporation and the debacle of that corporation when its CEOs and its executives kept secret the status of the public health plan from the employees while they jumped ship and rank and file were left to do the best they could.

The gentleman from Texas (Mr. DOGGETT) and I have introduced legislation to open up those reports, referred to as the 4010 forms, to public scrutiny. There must be transparency and accountability for billions of dollars promised to hard-working employees. The administration now says it supports this publication of these secret reports, but the Congress so far has yet to join in the effort and ask for their publication.

The administration must get serious about pension reform. The retirement security of millions of Americans depends upon timely actions. What we do here today is important to provide this

relief. Hopefully, the companies will use this as the opportunity to shore up their pension obligations. But we must understand that the American people's anxiety about the future of the retirement security is highly justified in light of this administration's and Congress's failure to seriously address the problems in our pension system.

We look forward to using this opportunity to make sure that we can address those pension concerns of the American workers in the 2 years time that this legislation buys us.

I am heightened in my expectations by the discussion that we had in our Committee on Education and the Workforce where the chairman said that he wanted to use this time to do an in-depth look at the current pension system and come up with remedies that are necessary to secure that system both for the employers and for the employees. I hope that we use that time wisely, and I would ask that my colleagues support this legislation.

Mr. Speaker, I yield my remaining time to the gentleman from Michigan (Mr. LEVIN).

□ 1115

Mr. PORTMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 3108, the Pension Funding Equity Act before us. And I do so because of the very concerns that were just raised by my colleague from California (Mr. GEORGE MILLER) and that is this will strengthen and define benefit plans in this country.

I will remind the gentleman that this Congress did pass, the House passed legislation after the Enron scandal to be sure that workers indeed had more options for diversification and to further protect those who are in 401(k)s and in plans like the Enron plan. That legislation is currently in the other body, but we do hope we can act on that yet this year.

I also would agree with the gentleman that we need to go even further with regard to looking at the defined benefit area. That includes looking at the funding rules. It obviously includes looking at the issue of what the discount rate ought to be. Today, we have before us a short-term fix for that problem, but it is only for 2 years. It also means we need to look, I believe, at other issues connected with pension accounting and with PBGC, the Pension Benefit Guarantee Corporation.

But having said all that, the bill before us today is necessary, and it is very important. We need to put this in a little perspective, I think. First, there is no mandate for American businesses to offer pension plans, whether it is a 401(k) or other defined contribution plan or whether it is a defined benefit plan, such as those we are talking about today. Those guaranteed defined benefit plans, of course, are traditionally viewed as the most secure pension plans, and there are millions of Americans who depend on them, not as many as they used to be.

Mr. Speaker, in fact, over the past 18 years, we have gone from 114,000 plans insured by the PBGC, the Pension Benefit Guarantee Corporation, ultimately by the taxpayer, to today where we have roughly 32,000 plans.

In the last four years alone, we have lost over 20 percent of the contribution plans in this country that are defined benefit plans insured by PBGC. So there are not as many Americans today as there used to be depending on these plans, but I believe they are still an incredibly important part of our overall retirement security system, and we ought to do all we can here in Congress to stop the erosion of these plans.

What does that mean? Without a system that is mandated, it means we need to offer better legislative incentives and encouragements for those plan sponsors and for those employees to be in these kinds of plans.

I will also say, Mr. Speaker, that this legislation addresses one of the reasons that we have seen a reduction in plans. It also addresses one of the reasons that we are seeing, even this year, not termination of plans but freezing of plans, where there are no new participants admitted or where existing participants are not able to accrue additional benefits. There is a group out there, one of the consulting firms that does work in this area that has told me they believe up to 20 percent of the plans are currently freezing or looking to freeze or scale back benefits in the near-term; 27 percent of the plans that they work with intend to offer less generous benefits for new hires. So we have got a serious situation here, and we do need to deal with it.

Again, one of the reasons we have seen this deterioration of the defined benefit plan is because of the discount rate. I believe this was talked about earlier, but right now by using this now defunct 30-year rate, we are telling corporations they have to overfund their plans. The 30-year Treasury measurement has been discontinued, therefore, the rate is too low; and, therefore, it is not an accurate measure of what the return will be on these plans over time; therefore, companies are being asked to come up with millions of dollars, in some cases over time billions of dollars, in funds that they do not believe are necessary in order to provide adequate benefits for workers. And at a time when the economy is not doing as well as it should be, particularly in the manufacturing sector, this is a real problem.

It is very important to come up with what we view as an accurate measure for this discount rate. In other words, what rate companies have to use with regard to their contributions to their plans and with regard to the premiums they pay to PBGC. That is what this debate is about today.

I am delighted by the fact that it is a bipartisan discussion. I am delighted by the fact that we have bipartisan co-sponsorship of this short-term fix for this problem. What we are saying is

that instead of using this defunct 30-year Treasury measurement, which again is outdated, that instead we ought to use a more accurate measure which would be a long-term, conservatively invested corporate bond rate to be chosen by the Department of Treasury. They would choose which corporate bond conservative indexes to use. The corporate bond indices which would be chosen would not be up to us, but we would be establishing here, legislatively, that that ought to be the rate going forward.

This is a huge victory because at least now we are telling those plan sponsors out there, gee, if you want to stay in this defined benefit area or for somebody maybe who is looking to get into the defined benefit area, there will be a more accurate measure, rather than, again, forcing companies and plan sponsors to overinflate their contributions and their premium payments. Rather, it will be an accurate measure, based on something you can predict which is what is the long-term corporate bond rate, again, determined by the Treasury Department based on indices.

That is where we are today. It is extremely important that we move forward with this legislation to give companies a little bit of predictability and certainty, at least over the next two years, as to what will be their liability.

Personally, I would have strongly preferred that we would go beyond 2 years. I think 3 years was a minimum that we should have gone. But this is something we worked at, again, on a bipartisan basis, given the balancing of interests here between the PBGC, the Pension Benefit Guarantee Corporation, their liabilities and concerns, which is ultimately the taxpayer, given the concerns of the employees and having job security and having pension security because this relates to jobs, as well as pensions, given that these contributions affect the bottom line of these companies, and given the need for us to be sure that you have enough incentive to keep plan sponsors in these plans. So this is a two-year period within which we go to a better discount rate.

During that time period, it is explicit in what we are doing here today, that this Congress will be getting busy in looking at these bigger issues. And they have to do, again, with the pension funding rules, with accounting rules, working with the PBGC, working with Treasury and working with outside groups. After all, those who are making decisions as to whether to offer pensions day to day, whether to freeze or not, whether to go to some sort of a convention, perhaps to a cash balance plan, those are people we need to hear from.

Congress can come up with what we think are great ideas, but if they do not work in the real world, who gets hurt in the end? It is the employees who do not have that guaranteed benefit that is so important, such an im-

portant part of our overall retirement security plan in this country.

Mr. Speaker, I reserve the balance of my time.

Mr. LEVIN. Mr. Speaker, I yield myself such time as I may consume.

(Mr. LEVIN asked and was given permission to revise and extend his remarks.)

Mr. LEVIN. Mr. Speaker, I rise in support of this temporary solution to a very serious pension financing problem. I hope it can become law quickly.

Although this is not the permanent solution, protecting both workers and their employers that I had hoped for, it is far better than other options being considered today. If Congress does not act, starting in the next plan year, companies will have to contribute more money to their defined pension benefit plans than will likely be needed to pay their pension obligations. That will harm business and labor alike.

Businesses would be forced to lock away resources that could be used to upgrade plants, hire workers and build for the future. Workers would have to accept reduced wages or reduced future benefit pension benefits. Although this rate adjustment may seem technical to some, in reality, it is a critical part of the solution to the manufacturing and job crisis which will require more action by this Congress and by the White House than new titles for bureaucrats or encouraging speeches.

I want to remind my colleagues of just how serious the crisis is for workers and their families. Over \$2 trillion in tax cuts have helped move this Nation from substantial Federal budget surpluses to huge deficits without creating jobs or overall increasing income for families. For the past 2 years, median income has dropped and poverty has risen. An average of 250,000 jobs per month were created during the Clinton administration, and in the Bush administration an average of 80,000 jobs a month are being lost. It would take us nearly a year to create enough jobs to replace the 3 million jobs lost and also account for population growth, even if we created over 500,000 jobs a month, the high under the Clinton administration.

Unfortunately, the Republican leadership in Congress and the Bush administration decided to wait and see about the economy and did not view the crisis like it was, including this pension issue. Rather than begin work on a consensus solution immediately after Congress passed a temporary fix 2 years ago, the Bush administration waited a year and a half, until the temporary rate was about to expire to unveil a controversial yield curve formula. It would disproportionately increase pension costs for already struggling manufacturing companies.

At the same time, leaders in this House initially delayed action on this matter by holding the rate correction hostage to action on an expensive and controversial package.

I hope this bipartisan action on pensions will be quickly followed by action

on another bipartisan effort, the Rangel-Crane-Manzullo-Levin bill. It would provide a needed tax cut for manufacturers who produce in the United States of America. Also needed is an extension of unemployment benefits for those still out of work through no fault of their own, millions of people, and other real actions specifically targeted to help turn this economy around.

Mr. Speaker, I reserve the balance of my time.

Mr. PORTMAN. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. SAM JOHNSON), a distinguished member of the Committee on Ways and Means, also chair of the subcommittee of the Committee on Education and the Workforce on Employee-Employer Relations.

(Mr. SAM JOHNSON of Texas asked and was given permission to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, I appreciate the remarks of the gentleman from Ohio (Mr. PORTMAN), as well as those on the other side.

Mr. Speaker, I rise today in support of Pension Funding Equity Act. It is long past time that we act on this important issue. I have even had people today come and tell me they want to work longer, so the Pension Benefit Guaranteed Corporation, which is a taxpayer funded entity, can fund them with more money. That is wrong.

Traditional pension plans provide financial security for millions of retirees and for today's workers. However, in order for employers to provide this type of financial security, the companies that sponsor these plans need some certainty with respect to the laws that govern them.

Two years ago the Treasury Department stopped issuing the 30-year Treasury bonds. That provided the interest rate benchmark for pension plans to measure their earnings. Since then, we have provided a stop-gap interest rate, and that stop-gap law is set to expire, and we are now coming forward with another temporary solution. The issues we are dealing with are complex and with roughly \$350 billion of unfunded pension promises looming over the Pension Benefit Guarantee Corporation, taxpayer funded, this is a high wire act without a safety net for American taxpayers.

I support moving forward with using the index of high-quality corporate bonds as the new benchmark to measure pension funding levels. This interest rate will better approximate what a conservatively invested pension plan is likely to earn in its portfolio. I am disappointed, however, along with the gentleman from Ohio (Mr. PORTMAN), that the bill we are debating only replaces the 30-year bond rate for purposes of determining how well-funded a pension plan is. We are continuing the fantasy of using a 30-year Treasury bond rate for purposes of determining lump-sum calculations.

The problem with ignoring the lump-sum calculations and using the defunct interest rate is that it provides a huge windfall to near-term retirees in transitional pension plans, while unjustifiably robbing everyone else in the pension plan. It also leaves gaping holes in pension funding that either must come from corporate earnings or these deficits must be turned over to the PBGC, at taxpayer expense, for payment.

□ 1130

For Congress to ignore the lump sum side of this occasion means that we are collaborating and strategically undermining pension plan funding. Again, at a time when the pension insurance program is facing \$350 billion in plan underfunding, I cannot be silent. We must protect the taxpayer.

I will support this bill today in order to get it to conference with the Senate, but we must replace the 30-year Treasury bond rate, and we must do it now.

Mr. LEVIN. Mr. Speaker, I yield 7 minutes to the gentleman from Maryland (Mr. CARDIN), and I ask unanimous consent that the gentleman from Maryland (Mr. CARDIN) be able to control the remainder of the time on this side.

The SPEAKER pro tempore (Mr. LATHAM). Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CARDIN. Mr. Speaker, let me thank the gentleman from Michigan (Mr. LEVIN) for yielding me this time, and let me point out from the outset that each Member who has spoken on this particular issue I have worked with on pension reform legislation, and we have worked together to try to increase the security for retirees. We share a common objective, and that is to provide more pension security for America's workers and for all individuals.

I have many concerns about the legislation we are considering today. I feel compelled at least to mention some of these concerns.

First, I am pleased that the legislation incorporates a replacement for the 30-year Treasury, which is a corporate bond mix which was included in the Portman-Cardin legislation. The Portman-Cardin legislation, that I have worked on with my good friend from Ohio (Mr. PORTMAN), who is managing the time on the other side of the aisle, the two of us have worked together and developed a process that is not just bipartisan. It is a process that uses the procedures here about hearings and listening to all parties. It works with all stakeholders, tries to work consensus. As a result, we have been successful in enacting some very important legislation.

I regret that that process was not used in the legislation before us. It certainly does not represent a consensus among the stakeholders. So let me tell my colleagues the problems as I see in this legislation.

First, I have heard my good friend, the gentleman from Ohio (Mr. BOEHNER), and the gentleman from California (Mr. GEORGE MILLER) talk about underfunded plans; and, yes, there are underfunded defined benefit plans. There is no question about that, but using an accurate interest assumption will not make the underfunding situation worse. In fact, it will help the PBGC because it will encourage companies that are properly funded to remain in the defined benefit world. It actually helps the plans using an accurate interest assumption. So why are we afraid to enact a permanent replacement for the 30-year Treasury?

Defined benefit plans are the best security for American workers. They have guaranteed benefits that they know they will receive when they retire. They do not have to worry about the market going up or down. It is guaranteed. The company puts money on the table. It provides in almost all cases annuitant retirement so that an individual has income and is not tempted to take out their retirement in a lump sum, spend it and not have it for their own retirement needs. It is the one form of retirement that we all should be here today to try to encourage more, and as the gentleman from Ohio (Mr. PORTMAN) pointed out, we are seeing a hemorrhaging of these plans. They are terminating, they are converting, they are freezing their contributions.

So what does this bill do in order to help the situation? It provides a 2-year, and a 2-year fix only, on a 30-year Treasury that does not exist. My concern is that because it does not provide the necessary predictability to companies that have to make a decision, whether they are going to continue these plans or not, that many plans will, in fact, convert or freeze and many companies will not even look at starting defined benefit plans.

The gentleman from Michigan (Mr. LEVIN) said that we should not require companies to put more into their plans than is required. Yet, that is exactly what we are doing in many cases. So why would a company or its workers want to put too much money in a pension plan when it is only one part of a compensation package? There are so many issues dealing with adequate funding that have been left out of this bill that were included in the Portman-Cardin bill. Let me just go through some of the issues that are not included in this bill, in addition to the fact that we had a permanent replacement and this is only 2 years.

It has nothing on mortality schedules. The mortality schedules are out of date. Treasury will acknowledge the mortality schedules are out of date. There are companies that are contributing too much; there are companies that are contributing too little. And yet we are going to do nothing on the mortality schedules in this legislation. We have multi-employer plans that have been left out completely from this

legislation. We have the 415 plans that are left out. These are small employers, small companies, and they are not going to get any relief under this legislation. That should have been corrected. It was in the original bill. The multi-employers are not affected by the 30-year Treasury replacement. They still have a problem. We do not deal with that.

Assets moving to take us through good times and bad times are not included in the legislation. We know that the current interest assumptions encourage individuals to take their money out in lump sum. It discriminates against annuitant retirement. Accountants will tell my colleagues that. It discriminates against annuitant retirement, and it means more money is coming out of plans than perhaps would need to and add to.

What it does is it makes the plans even more underfunded because we do not deal with the lump sum. Nothing in this legislation deals with the lump sum issues. And I think most tragically, I have heard my colleagues say, well, we are going to study these issues for the next 2 years and then come back with something. Nothing in this bill provides any study. I am just afraid 2 years from now we will be back exactly where we are today, and we will not have made the progress and we will not have taken advantage of the opportunity this year to deal with this matter in a more comprehensive way.

There is something good I can say about the bill. It does not incorporate the administration's proposal for a yield curve. I think that would have been disastrous. I am glad that is not legislation. I do agree with each of the prior speakers that this Congress has to act.

So I am going to vote in favor of the bill today. I hope that as it moves through the process the other body will show more wisdom and we will be able to have a more comprehensive bill, a longer term than just 2 years, covering more, at least a study, so that we are committed to dealing with all of these funding issues, and that we can get back on track to try to encourage companies to stick with it through defined benefit plans, because I think that is in the interest of American workers. We just do not want to see remaining this underfunded plan. We want these well-funded plans to continue to provide the benefits necessary for American workers, and I look forward to working with all my colleagues so that hopefully we can get back on track on important pension reform legislation.

Mr. PORTMAN. Mr. Speaker, will the gentleman yield?

Mr. CARDIN. I yield to the gentleman from Ohio.

Mr. PORTMAN. Mr. Speaker, I thank my good colleague from Maryland for yielding.

I want to echo the concerns he raised about this not being the more comprehensive approach that is needed. I also want to thank him for working

with me and other Members on both sides of the aisle over the last 3 years in putting together more comprehensive legislation from which this corporate bond rate is taken, and that is the Portman-Cardin legislation my colleague talked about. It did go to the Committee on Ways and Means; it has not come to the floor yet. I do think we will have the opportunity to take up that legislation in the future because it does address not only some of the other issues connected with the defined benefit plans but also defined contribution plans.

Mr. CARDIN. Mr. Speaker, I reserve the balance of my time.

Mr. PORTMAN. Mr. Speaker, I yield such time as he may consume to the gentleman from Massachusetts (Mr. NEAL) for purposes of a colloquy, a member of the Committee on Ways and Means.

Mr. NEAL of Massachusetts. Mr. Speaker, I have a question and perhaps an answer might clear it up for those who are still trying to sort through this legislation.

H.R. 3108, as introduced, included a provision that would have replaced the 30-year Treasury rate with a flat rate of 5.5 percent for purposes of the so-called section 415 limit. This provision was dropped in the amendment being considered today. Will this provision be considered as H.R. 3108 moves forward?

Mr. PORTMAN. Mr. Speaker, will the gentleman yield?

Mr. NEAL of Massachusetts. I yield to the gentleman from Ohio.

Mr. PORTMAN. Mr. Speaker, I would say first it is an excellent question, and he raises a concern that I also have with this legislation.

As my colleague indicated, section 415 of the Tax Code limits the maximum pension benefit that can be paid from a defined benefit plan. For 2003, that dollar limit is \$160,000 annually paid in the form of a lifetime annuity. If that worker decides to take a lump sum benefit instead, this annuity, the 415 limit, would also be converted into the lump sum.

Under current law, pension plans must use the 30-year Treasury rate to convert the 415 limit into a lump sum; and of course, because the 30-year Treasury is not a good rate, as we have talked about today, and because it fluctuates a great deal, it is very difficult for businesses to determine with any amount of certainty how much money it has to set aside to pay lump sum benefits. Although volatility is never good, it is particularly problematic for small plans; and it is these 415 plans that are typically in smaller businesses.

The legislation before us, H.R. 3108, would have allowed businesses to use a flat rate of 5.5 percent to convert the 415 limit. We think that was good policy. This provision would allow businesses, particularly small ones that I know the gentleman from Massachusetts (Mr. NEAL) is concerned about, to fund their pension plans with more certainty.

That provision was dropped in this amendment being considered today because it would have had an effect on lump sum distributions, and we did make an agreement with all parties that lump sums would not be affected one way or another by this short-term 2-year change in the discount rate. So that provision would have increased the 415 limit in some circumstances and reduced it in others. So it would have affected lump sums.

Nonetheless, the provision is extremely important to small business. I appreciate the gentleman from Massachusetts (Mr. NEAL) raising it and appreciate his support. I hope we can get it back in the bill, and I believe that we can as this bill moves forward when more permanent legislation is considered.

Mr. NEAL of Massachusetts. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. PORTMAN. Mr. Speaker, I yield such time as he may consume to the gentleman from Wisconsin (Mr. RYAN), my colleague on the Committee on Ways and Means, a distinguished Member.

Mr. RYAN of Wisconsin. Mr. Speaker, I thank the gentleman from Ohio for yielding me the time. I also thank him for all of his years of leadership on this issue. It is very, very important.

I simply want to lend my support and echo the sentiments of the gentleman from Maryland and the gentleman from Ohio on the fact that more does need to be done than what we are just doing here today. Few times have I had the opportunity to see an issue that is bipartisan, where labor and management can agree on things and come together to work for a common purpose for our country and for the workers of America. That is something that is important, and that is something that we need to advance, and that is why more needs to be done.

Multi-employer plans, mortality table rate reform, those things are important; and we need to pass legislation to do that, but this bill right here does need to pass. This bill needs to pass because this is about jobs, and I know this is pretty complicated. It is a difficult issue to get our arms around; but what it basically means is if this bill does not pass, millions of dollars, billions of dollars that are coming through corporations because of the economic recovery that is beginning, that is under way, instead of creating jobs and hiring people will go into artificial pension payments, and that is not good.

We have a recovery that we are trying to get under way. In many areas the recovery is under way. In manufacturing we still have work to do. The last thing we need to do is put a huge tax on the economic recovery of this Nation, and that is why it is important that the cash that is coming through these firms go to bringing these people back to work, expanding, buying new pieces of plant and equipment. We have

all of these tax benefits that are now under way through the tax bills that we have passed to give incentives to manufacturers, to give incentives to employers to reinvest in their businesses, to expand, to rehire employees.

It would be a horrible thing if all of the sudden we allow this reform to expire, and these plans, rather than expanding, buying new plant equipment, rehiring employees, have to dump it into these artificial payments. This needs to pass so the economic recovery can continue. Then we need to get together to work on these broader reforms sooner rather than later.

I thank my colleagues for what they are doing.

Mr. CARDIN. Mr. Speaker, I yield such time as he may consume to the gentleman from North Dakota (Mr. POMEROY), my colleague on the Committee on Ways and Means.

Mr. POMEROY. Mr. Speaker, I thank the gentleman for yielding me the time, and in particular, applaud him for the effort and research and expertise he has developed in this area, as well as our colleague, the gentleman from Ohio (Mr. PORTMAN). Certainly, the Portman-Cardin legislation that appears unlikely to pass this session of Congress was a bill that advanced these considerations and did so in a more thorough way than the bill before us.

I think it is important to have in perspective, really, what this is all about. Defined benefit pension plans are those retirement savings vehicles made available to employees at the workplace that give them a monthly annuity benefit every month in retirement. It is the retirement cash flow that they cannot outlive. That is what makes pensions so important. That is why, for many of us, we view pensions in the defined benefit context as a superior retirement benefit than the defined contribution 401(k) account where one saves up a little nest egg and hopes it lasts as long as they need it. The defined benefit pension plan guarantees cash flow for life.

Agreeing then on the importance of defined benefit pension plans, it is also important to really look at how we are presently regulating them to determine whether we are doing it in an appropriate way. These are voluntary plans by the employer; and if we do not regulate them correctly, the employers will drop them.

There is reason to believe something is terribly wrong with the existing regulatory system on pension plans because it is estimated by Watson Wyatt, the consulting firm, that 20 percent of defined benefit pension plans, one in five, have been frozen or canceled within the last three years alone.

□ 1145

Now, that is a staggering problem, and I really regret that the administration has not seized on this as an outright emergency in terms of employee benefits. One out of five pension plans frozen in the last 3 years alone. So the

economic record is not just jobs lost, it is also those who still have jobs but do not have pensions, and there are hundreds of thousands of them.

One of the reasons causing this problem is the fact that in good times, we do not allow funding, and in bad times, we make them substantially increase the funding of these pension plans. Now, if you are an employer, what sense does that make? Times are good, you have a little cash, and you would like to plus up the pension plan to make sure you have enough in there, but you cannot under the law. On the other hand, in a recession, when you are trying to desperately turn things around, trying to grow your businesses, my colleague, the gentleman from Wisconsin (Mr. RYAN), just explained we make more money to come out of operations and be put into pension reserving. Not because the plan is about to go under, but that is just what the formula says. Well, that is a dramatically screwed-up format, and it places a government disincentive on employers to continue pension plans. We have to fix that.

Unfortunately, what we have seen out of this administration, in my view, is only a focus on whether or not the reserving is enough relative to immediately liquid liabilities. Out of the Treasury Department come new formulas for increasing funding, making even more volatile the funding situation facing employers. Out of the Pension Benefit Guaranty Corporation, we have just seen a single focus. We need more funding because the plans are under water. Well, we have to keep this in perspective.

The Watson Wyatt Research Group has estimated that comparing assets to liabilities, the plans are on average 4 percent under water. Four percent. That is all. And that is measured based upon today's stock market evaluations. Now, if the administration has any confidence at all in its economic plans forecasting growth, forecasting rising stock values, that 4 percent is going to disappear in an instant. That is not a problem. So it is wrong to put this inordinate pressure on employers to increase funding for their liabilities now. It really forces them to do what so many have done, and that is freeze or cancel the plans.

Plans need certainty, and we only provide a little bit of certainty in the legislation before us; 2 years of continuing this interim fix. I wish it had been 5 years. I believe maybe even 7 years might have been appropriate. Two years, in my opinion, falls short of what will be required to give employers some relief. I am not at all sure, even if we pass this, that we are going to stop this trend of canceling the defined benefit plans. But certainly it is better than nothing, and I will be voting for it. It is far short of what we should have done.

More work lies ahead, and I would point to two areas, in particular, that are going to need some attention. The

airline industry, in particular, has been battered by terrorism and battered by a recession in the economy. They have also been battered, unfortunately, by the statutory reserving requirements on the pension plans. We should be able to address their unique circumstance. This bill does not do that. I believe they need relief, and was proud to work with my colleague, the gentleman from Michigan (Mr. CAMP) on bipartisan legislation to get that done.

Other plans, in particular those protecting the retirement interests of older workers, those places of employment that have, on balance, an older age mix in their place of employment are going to potentially be very heavily hit on pension reform. And without giving them some assurance, I believe we are going to see the freezing of plans accelerate in these industries. Those who most need the protection, those plans with older workers, will be most likely to have the benefits cut or frozen or discontinued all together. We really have not addressed that in this legislation. I believe this is absolutely the fault of the United States Treasury Department under this administration. We deserve more from them than we have received.

I also believe that the Pension Benefit Guaranty Corporation has only looked with a green eyeshade at whether or not plans are solvent. The preceding director of the Pension Benefit Guaranty Corporation, an individual from my hometown, understood that the PBGC has two missions; one was making certain that the plans were adequately funded, but the other was continuing defined benefit pension plans in the workforce. And that is why some balance is needed. That is why the existing administration needs to incorporate more balance in looking at these issues, so that we look at them over a long time frame and in a way that is compatible with continuing defined benefit pension plans, or even increasing the number in the workforce, because it is that important.

I thank, again, my colleagues for their responsible bipartisan work on this issue. Obviously, we have a lot more heavy lifting to do.

Mr. PORTMAN. Mr. Speaker, I yield myself such time as I may consume, and I want to thank my colleague. He ended up by saying that he appreciates the responsible bipartisan work that has been done in this area. I want to thank him and the gentleman from Maryland (Mr. CARDIN), who spoke earlier, and I also want to thank the gentleman from Texas (Mr. SAM JOHNSON), who we heard from a moment ago, and I want to thank the gentleman from Ohio (Mr. BOEHNER), who we will hear from in just a minute.

This has been a bipartisan effort from the start, and it is something we need to continue to focus on. We need to do two things: One, today we need to do this short-term fix. Second, we need to look more comprehensively at these issues. First, at all the funding issues

and other PBGC issues, some of which were raised by the gentleman from North Dakota (Mr. POMEROY) and the gentleman from Maryland (Mr. CARDIN), the lump-sum issues, and that will be done in the next 2 years if we are to meet our commitment under the legislation we are passing today.

The second thing we need to do, though, is we need to look more comprehensively at retirement security generally, and that is what the Portman-Cardin legislation builds on, and, hopefully, we can continue to do that.

Mr. Speaker, I yield back the balance of my time.

Mr. CARDIN. Mr. Speaker, I reserve the balance of my time.

Mr. BOEHNER. Mr. Speaker, I yield such time as he may consume to the gentleman from Oklahoma (Mr. COLE).

Mr. COLE. Mr. Speaker, I rise today to support H.R. 3108, the Pension Funding Equity Act. This bipartisan, short-term fix is important so we can develop a long-term solution to the challenges faced by both employers and employees who participate in defined pension plans.

This interim solution is necessitated by an unusual combination of events: Record-low interest rates, although they are beginning to tick up; a stock market decline, although, frankly, that has now reversed itself and become a stock market rally; growth in the number of retirees; and discontinuation of the 30-year Treasury benchmark that previously provided the means used for determining funding liability.

Unless we make this temporary adjustment in H.R. 3108, employers will face demands on their capital that will lessen their ability to create jobs and invest in our future. Workers will have less certainty in terms of their own pensions, and that, in turn, may well affect consumer spending and affect this economic recovery.

H.R. 3108 provides the time necessary for the recovery generated by the Bush tax cuts, which is clearly underway, the continued generation of new jobs, and new increases in stock market values, which over time will ease some of the pension challenges that we face, and, frankly, ultimately provide a better environment in which to find a long-term bipartisan solution to this problem.

I urge my colleagues to support H.R. 3108. It is simply the right thing to do.

Mr. BOEHNER. Mr. Speaker, I am pleased to yield such time as she may consume to the gentlewoman from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. Mr. Speaker, I would like to thank our chairman for his excellent work on this issue, and I do rise today to support H.R. 3108, the Pension Funding Equity Act.

We have talked about all the reasons that have caused this, the stock market fluctuations, the growing retiree population, interest rates, and that the plan is underfunded. Over the past year, we have heard from so many of

our constituents about the concern of the condition of the Pension Benefit Guaranty Corporation and concern with its weakening and with the deficit of \$5.7 billion. What we have got, basically is \$80 billion in unfunded pension benefits among financially weak companies that are looming on the horizon, those pension benefits that may eventually come to the PBGC and be their responsibility.

This Pension Funding Equity Act creates a short-term replacement for the 30-year Treasury bond interest rate and allows us to work out a long-term bipartisan solution. I join my colleagues in urging all of our Members to support H.R. 3108 and support our constituents who are indeed very concerned about this issue.

Mr. BOEHNER. Mr. Speaker, I am prepared to close on our side.

Mr. CARDIN. Mr. Speaker, I yield back the balance of my time.

Mr. BOEHNER. Mr. Speaker, I yield myself the balance of my time.

Let me thank all my colleagues on both sides of the aisle for their work in moving this very important piece of legislation to help strengthen the Pension Benefit Guaranty Corporation and, more specifically, to help strengthen defined benefit plans. Making this change in the 30-year bond rate to a corporate bond index rate will, in fact, strengthen a lot of defined benefit plans, single-employer plans. Multiemployer plans use a different index.

There has been some discussion on the floor today about this fact that this is temporary, that it is only 2 years. Frankly, that is by design. Putting this in place we all know needs to happen because the current temporary fix is about to expire. It has been my intention, as the chairman of the Committee on Education and the Workforce, who shares jurisdiction with our friends on the Committee on Ways and Means, to continue our work on defined benefit pension plans, both single employer and multiemployer plans. There are long-term issues that have to be dealt with.

Congress, over the last number of years, has kind of shoved this off and shoved it off. Allowing for a 3-year fix or a 4-year fix, in my opinion, provides far too much time. It gets people unengaged in the process, when, in fact, we need to stay with this difficult process in order to come up with a longer term solution.

We have to walk a very fine line, as all of my colleagues know, in terms of getting the appropriate funding levels in many plans, securing the retirement security for millions of American workers, without unduly or unnecessarily pushing employers out of the defined benefit system. These are voluntary plans offered by employers to their employees. It is very critical, I believe, and others believe, that we find the right balance in terms of restructuring the regulatory system for how these plans operate and the contribution levels that need to be made.

While others want to make changes, and we have heard some of the suggestions made on the floor today, to fix the lump-sum problem, to fix the mortality-rate issue, all of these issues in defined benefit plans are interrelated. And as you begin to pull on that string, what we do not want to have happen, and what usually happens around here, is that the law of unintended consequences jumps up and bites us.

I know that our committee is going to take a very serious look at what needs to be done to improve the health of these plans, to ensure that the money is there to pay the benefits to American working families and to try to maintain some stability so that employers will continue to offer these plans. I suspect my colleagues on the Committee on Ways and Means will do the same. It is my plan, Mr. Speaker, to have a bill through the House next year. And I do believe that this 2-year temporary fix will, in fact, keep pressure on us to do the heavy lifting that needs to be done.

There have been calls for a commission to look at this. In all honesty, I do not know that we need a commission. What we need to do is the heavy lifting of legislating. And to legislate, we need to talk to people in the administration and in the real world about the kind of changes that need to be made in order to make sure that these systems, these defined benefit plans, are there for American working families and that they work properly and are funded properly.

□ 1200

Mr. Speaker, I intend in our committee to do the work that is necessary, and I believe our colleagues on the Committee on Ways and Means will do likewise. I urge Members to support the bill.

Mr. McKEON. Mr. Speaker, I rise today to urge my colleagues to support H.R. 3108, the Pension Funding Equity Act. Two years ago, the benchmark interest rate used to determine various pension calculations—the 30 year Treasury Bond rate—was discontinued, but some employers have continued to use it to fund their defined benefit pension plans.

The problem is that after the rate was discontinued, it reached historic lows and now no longer correlates with the rates on other long-term bonds, thereby artificially inflating its funding liability. This has justifiably left many employees concerned about the certainty and security of their defined benefit programs, which many Americans depend on for their retirement.

Last year, my colleagues and I passed a temporary fix by allowing employers to use a higher rate to calculate their pension liabilities, but because this fix expires at the end of 2003, employers, unions, and workers are once again concerned that defined benefit pension plans are going to be jeopardized.

Mr. Speaker, this is unacceptable. The lack of a long-term solution to the 30-year interest rate is putting worker and retiree benefits at risk. Taking no action now could jeopardize employers' willingness to continue their defined benefit programs that provide a stable

and secure pension benefit to workers during retirement.

Mr. Speaker, H.R. 3108 is by no means a permanent solution but it will provide a short-term replacement to ensure certainty and security for workers and employers while committing Congress to immediately proceed with efforts to identify a permanent long-term solution. I encourage my colleagues to join me in supporting this common sense legislation and voting in favor of the Pension Funding Equity Act.

Mr. CASTLE. Mr. Speaker, during House consideration of H.R. 3108 I was in Iraq visiting U.S. troops and touring U.S. reconstruction efforts. Had I been here, I would have supported passage of H.R. 3108, the Pension Funding Equity Act of 2003.

I support H.R. 3108 as a temporary response to a pressing issue that ultimately affects the retirement benefits of millions of American workers, their families, and beneficiaries. Today the House will protect the benefits of those workers who have a pension benefit under our defined benefit system.

The Pension Funding Equity Act would replace the current standards that employers must use to determine their pension liabilities—the 30-year Treasury bond interest rate—with a corporate bond index rate for 2 years through December 31, 2005. The 30-year Treasury bond interest rate is set to expire this year, jeopardizing pension funds across the country. The bill gives the Treasury Department the flexibility to establish the discount interest rate based on a blend of corporate bond index rates. This change will provide employers with greater certainty and short-term funding relief and strengthen defined benefit pension plans workers in the short term while Congress takes a broader look at the defined benefit system as a whole and the issues that affect the retirement security of American workers. As we progress down the road of defining the long-term answer, the bottom line must be to enable businesses to fill their pension funds, and, more importantly, that they are fully funding them.

As a Member of the House Committee on Education and the Workforce, as well as the House Committee on Financial Services, I have participated in hearings that highlight the plight of American workers, beyond defined benefit plans, who have suffered from a lack of retirement security. It has also become all too clear that addressing this issue is an extremely delicate and difficult task.

It is imperative that this Congress work overtime to ensure today's workforce retire with the benefits they have spent their adult life building. I am committed to asking the difficult questions and pressing for the sometimes controversial answers. We are all aware of Enron and World Com, but we must look beyond these most recent crises. We must look at past documented instances of corporations using innovative ways to rob pension assets. For example, some have projected unrealistically high rates of returns to claim that the plan is overfunded, declare bankruptcy but set up a special bankruptcy-proof pension plan for top executives, and define employees as independent contractors. In asking these tough questions we will be able to give business the tools they need to create fair funds, absent any deceit. For the sake of the millions of workers who rely on the security of their retirement we must be tough on fiscal trickery and strong on pension protection.

Mr. BOEHNER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. LATHAM). All time for debate has expired.

Pursuant to the order of the House of Tuesday, October 7, 2003, the previous question is ordered on the bill, as amended.

The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BOEHNER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. CULBERSON). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken later today.

ADOPTION PROMOTION ACT OF 2003

Mr. CAMP. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3182) to reauthorize the adoption incentive payments program under part E of title IV of the Social Security Act, and for other purposes.

The Clerk read as follows:

H.R. 3182

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Adoption Promotion Act of 2003".

SEC. 2. FINDINGS.

The Congress finds the following:

(1) In 1997, the Congress passed the Adoption and Safe Families Act of 1997 to promote comprehensive child welfare reform to ensure that consideration of children's safety is paramount in child welfare decisions, and to provide a greater sense of urgency to find every child a safe, permanent home.

(2) The Adoption and Safe Families Act of 1997 also created the Adoption Incentives program, which authorizes incentive payments to States to promote adoptions, with additional incentives provided for the adoption of foster children with special needs.

(3) Since 1997, all States, the District of Columbia, and Puerto Rico have qualified for incentive payments for their work in promoting adoption of foster children.

(4) Between 1997 and 2002, adoptions increased by 64 percent, and adoptions of children with special needs increased by 63 per-

cent; however, 542,000 children remain in foster care, and 126,000 are eligible for adoption.

(5) Although substantial progress has been made to promote adoptions, attention should be focused on promoting adoption of older children. Recent data suggest that half of the children waiting to be adopted are age 9 or older.

SEC. 3. REAUTHORIZATION OF ADOPTION INCENTIVE PAYMENTS PROGRAM.

(a) IN GENERAL.—Section 473A of the Social Security Act (42 U.S.C. 673b) is amended—

(1) in subsection (b)—

(A) by striking paragraph (2) and inserting the following:

"(2)(A) the number of foster child adoptions in the State during the fiscal year exceeds the base number of foster child adoptions for the State for the fiscal year; or

"(B) the number of older child adoptions in the State during the fiscal year exceeds the base number of older child adoptions for the State for the fiscal year;"

(B) in paragraph (4), by striking "and 2002" and inserting "through 2007"; and

(C) in paragraph (5), by striking "2002" and inserting "2007";

(2) in subsection (c), by striking paragraph (2) and inserting the following:

"(2) DETERMINATION OF NUMBERS OF ADOPTIONS BASED ON AFCARS DATA.—The Secretary shall determine the numbers of foster child adoptions, of special needs adoptions that are not older child adoptions, and of older child adoptions in a State during each of fiscal years 2002 through 2007, for purposes of this section, on the basis of data meeting the requirements of the system established pursuant to section 479, as reported by the State and approved by the Secretary by August 1 of the succeeding fiscal year;"

(3) in subsection (d)(1)—

(A) in subparagraph (A), by striking "and";

(B) in subparagraph (B)—

(i) by inserting "that are not older child adoptions" after "adoptions" each place it appears; and

(ii) by striking the period and inserting "; and"; and

(C) by adding at the end the following:

"(C) \$4,000, multiplied by the amount (if any) by which the number of older child adoptions in the State during the fiscal year exceeds the base number of older child adoptions for the State for the fiscal year;"

(4) in subsection (g)—

(A) in paragraph (3), by striking subparagraphs (A) and (B) and inserting the following:

"(A) with respect to fiscal year 2003, the number of foster child adoptions in the State in fiscal year 2002; and

"(B) with respect to any subsequent fiscal year, the number of foster child adoptions in the State in the fiscal year for which the number is the greatest in the period that begins with fiscal year 2002 and ends with the fiscal year preceding that subsequent fiscal year;"

(B) in paragraph (4)—

(i) in the paragraph heading, by inserting "THAT ARE NOT OLDER CHILD ADOPTIONS" after "ADOPTIONS"; and

(ii) by striking subparagraphs (A) and (B) and inserting the following:

"(A) with respect to fiscal year 2003, the number of special needs adoptions that are not older child adoptions in the State in fiscal year 2002; and

"(B) with respect to any subsequent fiscal year, the number of special needs adoptions that are not older child adoptions in the State in the fiscal year for which the number is the greatest in the period that begins with fiscal year 2002 and ends with the fiscal year preceding that subsequent fiscal year;"

(C) by adding at the end the following:

"(5) BASE NUMBER OF OLDER CHILD ADOPTIONS.—The term 'base number of older child adoptions for a State' means—

"(A) with respect to fiscal year 2003, the number of older child adoptions in the State in fiscal year 2002; and

"(B) with respect to any subsequent fiscal year, the number of older child adoptions in the State in the fiscal year for which the number is the greatest in the period that begins with fiscal year 2002 and ends with the fiscal year preceding that subsequent fiscal year.

"(6) OLDER CHILD ADOPTIONS.—The term 'older child adoptions' means the final adoption of a child who has attained 9 years of age if—

"(A) at the time of the adoptive placement, the child was in foster care under the supervision of the State; or

"(B) an adoption assistance agreement was in effect under section 473 with respect to the child.";

(5) in subsection (h)—

(A) in paragraph (1)—

(i) in subparagraph (B), by striking "and";

(ii) in subparagraph (C), by striking the period and inserting "; and"; and

(iii) by adding at the end the following:

"(D) \$43,000,000 for each of fiscal years 2004 through 2008."; and

(B) in paragraph (2)—

(i) by inserting "; or under any other law for grants under subsection (a)," after "(1)"; and

(ii) by striking "2003" and inserting "2008";

(6) in subsection (i)(4), by striking "1998 through 2000" and inserting "2004 through 2006"; and

(7) by striking subsection (j).

(b) REPORT ON ADOPTION AND OTHER PERMANENCY OPTIONS FOR CHILDREN IN FOSTER CARE.—Not later than October 1, 2004, the Secretary of Health and Human Services shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report on State efforts to promote adoption and other permanency options for children in foster care, with special emphasis on older children in foster care. In preparing this report, the Secretary shall review State waiver programs and consult with representatives from State governments, public and private child welfare agencies, and child advocacy organizations to identify promising approaches.

SEC. 4. AUTHORITY TO IMPOSE PENALTIES FOR FAILURE TO SUBMIT AFCARS REPORT.

Section 474 of the Social Security Act (42 U.S.C. 674) is amended by adding at the end the following:

"(f)(1) If the Secretary finds that a State has failed to submit to the Secretary data, as required by regulation, for the data collection system implemented under section 479, the Secretary shall, within 30 days after the date by which the data was due to be so submitted, notify the State of the failure and that payments to the State under this part will be reduced if the State fails to submit the data, as so required, within 6 months after the date the data was originally due to be so submitted.

"(2) If the Secretary finds that the State has failed to submit the data, as so required, by the end of the 6-month period referred to in paragraph (1) of this subsection, then, notwithstanding subsection (a) of this section and any regulations promulgated under section 1123A(b)(3), the Secretary shall reduce the amounts otherwise payable to the State under this part, for each quarter ending in the 6-month period (and each quarter ending in each subsequent consecutively occurring 6-month period until the Secretary finds that the State has submitted the data, as so required), by—

"(A) $\frac{1}{4}$ of 1 percent of the total amount expended by the State for administration of foster care activities under the State plan approved under this part in the quarter so ending, in the case of the 1st 6-month period during which the failure continues; or

"(B) $\frac{1}{4}$ of 1 percent of the total amount so expended, in the case of the 2nd or any subsequent such 6-month period."

SEC. 5. EFFECTIVE DATE.

The amendments made by this Act shall take effect on October 1, 2003.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CAMP) and the gentleman from Maryland (Mr. CARDIN) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan (Mr. CAMP).

Mr. CAMP. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 3182, the Adoption Promotion Act of 2003, which was introduced with bipartisan support. This legislation reauthorizes the Adoption Incentive Program, which was created as part of the Adoption and Safe Families Act in 1997.

Since 1997 until 2002, we have seen adoptions increase by 64 percent. Special-needs adoptions during that same period have increased by 63 percent. We are here today to reauthorize a successful program, while making key improvements to that program. Adoption is about parents and families opening their homes and hearts to children who need a family.

Growing up with a loving family is essential to every child, not only emotionally but also intellectually. Just last week we held the Angels in Adoption dinner put on by the Congressional Coalition on Adoption Institute, which recognizes adoptive families throughout the country; and hundreds of parents were there. I spent the night honoring a couple from my district, Coleman, Michigan, Charlie and Gerry Brown, who began with six biological children, began to expand their family when they opened their home to a young foster girl in 1990. Today they have 14 adoptives, and they are in the process of adopting two more boys, making them the proud parents of 22 children.

I think the Browns exemplify everything good about adoption, but we need more families who will bring children into their homes. Approximately 126,000 children currently are awaiting adoption, half of whom are 9 years of age or older, and these are children who have the least chance of being adopted and the greatest chance of spending the rest of their childhood in foster care, which is unacceptable by anyone's standards.

The Adoption Promotion Act of 2003 enhances the current incentive program for adoption, which rewards States that increase the number of children adopted by creating a new incentive for States that increase the adoptions of children age 9 and older as well.

I thank the chairman of the Subcommittee on Human Resources, the

gentleman from California (Mr. HERGER), and the ranking member, the gentleman from Maryland (Mr. CARDIN), for working on this important measure in such a bipartisan effort which allows this bill to come to the floor. I thank the staff of the Subcommittee on Human Resources for their hard work.

There is nothing more special than seeing a parent, a mom or dad, bringing a new son or daughter into their family through adoption. This bill achieves this important goal, and I urge my colleagues to support this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. CARDIN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me congratulate the gentleman from Michigan (Mr. CAMP) for his strong support on this important issue. He has been steadfast in helping families in the adoption arena, and this is just one more chapter in his record in this area. I also thank the gentleman from California (Mr. HERGER) for the way in which this bill was handled in our subcommittee. It was done in a bipartisan way involving the views of administrators, advocates, and experts in the field; and we have come up with an excellent bill which I encourage my colleagues to support.

This bill deals with foster children. Obviously, the first goal of placement for foster children is to try to reunite them with their birth parents, but that is not always possible. When that is not possible, we want to find a safe and permanent home as quickly as possible for that foster child.

In 1997, we enacted the Safe and Stable Families Act. This legislation, H.R. 3182, continues the record that we started in 1997. It includes adoption incentive bonuses for payments to States that increase the number of adoption of children out of foster care. And as the gentleman from Michigan (Mr. CAMP) pointed out, since the enactment of this legislation in 1997, we have seen a 64 percent increase in the adoption of children out of foster care, and that number has held true for children with special needs.

H.R. 3182 extends that program for 5 years. That is certainly our goal, to reauthorize programs that work for a 5-year period; and this bill does that. We also update the baseline. That is a very important fact because it allows more States the opportunity to benefit from these payments. We enhance payments for older children in foster care that are adopted.

Mr. Speaker, over half of our children currently in foster care are over the age of 9. They are the more difficult children to find permanent homes through adoption. This legislation recognizes that and rewards States that are able to find permanent placement adoptions for children over the age of 9. Funds can be used for a variety of child welfare services, including post adoptive services, so we are providing the

wherewithal, particularly in these tough economic times, to our States in order to move forward in this important program to help America's most vulnerable children.

We also direct the agency to move forward with another option for permanent placement, and that is subsidize guardianship where the foster child is placed with a grandparent, aunt, uncle, or other family member. In many cases, that is the preferred option; and we are making it easier for that option to become a reality.

Mr. Speaker, this legislation enjoys broad support. It is supported by the Child Welfare League of America, the Children's Defense Fund, the Center for Law and Social Policy, Voices for Adoption, and the list goes on and on. It is a very important bill, and I encourage my colleagues to support this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. CAMP. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. HERGER), the chairman of the Subcommittee on Human Resources.

Mr. HERGER. Mr. Speaker, I would like to commend the gentleman from Michigan (Mr. CAMP) for his outstanding leadership in crafting this bipartisan legislation, as well as commending the gentleman from Maryland (Mr. CARDIN), the ranking member, for his work on it as well. I am very pleased to be a cosponsor of this legislation.

As chairman of the Committee on Ways and Means Subcommittee on Human Resources, I appreciate the dedication and commitment of the gentleman from Michigan (Mr. CAMP) to children's issues. Nationally, more than 18,000 children have been adopted since Congress created the Adoption Incentive Program in 1997. In my home State of California, adoptions have more than doubled. This is tremendous progress. As a result, States have received almost \$160 million they can use to support families and children in distress. Despite this progress, there are still 126,000 children waiting to be adopted. This legislation will encourage States to find adoptive families for these children by continuing and improving the Adoption Incentive Program for 5 more years.

I am pleased this legislation adds a new incentive to promote adoption of children age 9 or older, as the Bush administration proposed. These children are most at risk to spend their childhood in foster care and never find an adoptive family, so they deserve our special attention.

I thank my colleagues on both sides of the aisle for their support of this legislation. I look forward to working with them to promote safe adoptive placements for children in foster care. This bill is certainly a worthy step in that direction. I urge all Members to support this excellent legislation.

Mr. CARDIN. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Speaker, I rise in strong support of this legislation. I want to commend the gentleman from Michigan (Mr. CAMP) and the gentleman from Maryland (Mr. CARDIN) for the leadership that they have demonstrated and continue to demonstrate in this area.

As chairman of the Congressional Black Caucus' Child Welfare Brain Trust, and also coming from a community where I have a very active advisory committee on child welfare issues, and also coming from a community where there is one of the greatest needs for adoption that exists in the country, much of the inner city of Chicago, this legislation is tremendously important.

The idea of providing an opportunity for children who could not experience family life, to give them the opportunity to have the well-being, the nurturing of a family rather than being institutionalized or as a ward of the State is of tremendous value. I simply want to add my voice in support of it. Again, I commend the gentlemen for their strong leadership and the articulation of a need that exists.

Mr. CAMP. Mr. Speaker, I yield myself such time as I may consume.

I appreciate the gentleman's comments and again thank all of the Members for this bipartisan effort here. I also want to note that the majority leader did have an impact on this bill and required that there be penalties on the Health and Human Services Agency if they do not submit timely and complete adoption and foster care data. This will help us track exactly where children are, how long they are spending in foster care, and what their needs are. This is an important provision, and I wanted to highlight that for the Members as well.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of the Adoption Promotion Act of 2003 (H.R. 3182). This bipartisan bill would amend and reauthorize the Adoption Incentives Program and add necessary provisions to strengthen this important program.

I am particularly encouraged by provisions to enhance the adoption of older children in foster care. In addition to incentives for the adoption of special needs children, H.R. 3182 would create a third incentive payment equal to \$4,000 for each increased adoption of foster children who are age 9 or older at the time of adoption.

As I stand before you today there are approximately 588,000 children in the foster care system in the United States. The average age of children in foster care is 10 years. We know that the longer children are in foster care the more challenging their lives become. It is also less likely that these children will be adopted. Most children waiting to be adopted are school-aged or in a sibling group that needs to stay together. Many have emotional disabilities; others have physical, mental or developmental disabilities. All need the love of a permanent family.

Serious disparities in the racial and ethnic breakdown of children in foster care com-

pound the problems faced by children in protective services. In 1980, 47 percent of the children in foster care were children of color. By 2000, 66 percent of children in foster care were children of color. Minority children are disproportionately represented in the foster care system by a margin of more than two to one. Health disparities that face minority children further exacerbate the problems that they face as children in foster care.

In addition to supporting H.R. 3182, I urge my colleagues to take time to review and act on comprehensive child service reform measures that maintain a strong Federal responsibility to our most vulnerable children and families. This bipartisan legislation is a step in the right direction of Federal responsibility to participate fully with the States in meeting this fundamental obligation. Real reform, including new investments, is required to respond to the needs of the over 500,000 abused and neglected children currently in foster care and to keep all children safe from harm. Recent research shows that:

Children who received "services" from Child Protection Services died as a result of abuse 16 times more often than children in the general population.

Last year, in the 18th District of Texas, 8,039 in protective services were in investigation of child abuse and neglect.

Children were abused and neglected 3 times more often by State caregivers than by parents (and children are eleven times more likely to be sexually abused in State care than they are in their own homes).

The Children's Bureau of the U.S. Department of Health and Human Services reports that in 2002, there were an estimated 560,000 children in foster care across the U.S. and an estimated 3 million children involved in investigations by child protective services of abuse or neglect. In the States reporting, an average of 11.8 children were victims of abuse or neglect for every 1,000 children in the population.

In my own State of Texas the number of children who died as a result of abuse or neglect recently increased and child protection services was involved with 36% of those children who died.

It is urgent that we stabilize the lives of our children by promoting adoption and other permanency options for our children. They are at risk in the child welfare system as it stands. All children deserve and thrive best when they are in stable, permanent loving homes. We, as a country, must commit ourselves to doing a better job of protecting and caring for our children. The Adoption Promotion Act, H.R. 3182, is a step in the right direction.

Mr. DELAY. Mr. Speaker, since we first passed the Adoption and Safe Families Act in 1997, adoptions out of foster care have increased 64 percent.

That's thousands of children in permanent homes who, before this law was enacted, were wandering through the foster care system unprotected, unloved, and sometimes forgotten all together.

But not anymore. The tide has turned in this fight for the hope of a generation of American children.

We've made American foster care a priority and made the decision, as a Nation, to no longer focus on the system, but the children themselves.

The next step in this pivot away from despair and toward hope is to ensure States stay

focused on their responsibilities to foster children.

After a GAO report—requested by Senator GRASSLEY and me—revealed that some State governments are failing to adequately keep and provide information about foster children in their care, I worked with Chairman HERGER and lead sponsor Mr. CAMP to add a new provision to this bill.

The new provision imposes penalties on those States that do not keep up their records, and thereby let their foster children slip through the cracks.

Every new phase in a foster child's journey through the system can be the wrong turn that makes the difference between happiness and despair.

How can we expect them to work hard in school, stay optimistic about their future, and never lose hope if we can't even keep track of their address?

These kids start out in life facing adversity before they even know what the word means. They carry doubt and fear around on their backs like crosses. This provision and this bill will give America's foster children hope, and a better chance at finding the unconditional love they all deserve, but so few have ever known.

I thank the gentlemen for all their hard work in this legislation, and I urge all my colleagues to vote in favor of it.

Mr. SHAW. Mr. Speaker, I rise today in support of H.R. 3182, the Adoption Promotion Act of 2003, which continues to reward states for their efforts to promote adoption of children in need of loving families.

I am proud to be a cosponsor of this legislation as it reauthorizes the Adoption Incentives program. This program was created as part of the Adoption and Safe Families Act of 1997, which was signed into law while I was the Chairman of the Ways and Means' Human Resources Subcommittee. This law has resulted in moving thousands of children out of hopeless foster care situations and into loving adoptive families.

The current Adoption Incentives program rewards states that make gains in the number of children adopted and provides additional incentives for the adoption of foster children with special needs. Between 1997 and 2002, adoptions increased by 64 percent, and adoptions of children with special needs increased by 63 percent. However, more work needs to be done to assist the 542,000 children who remain in foster care, and the 126,000 who are eligible for adoption.

Research suggests that many older children still linger in foster care, so we must do more to encourage states to find adoptive families for these children. The Adoption Promotion Act of 2003 takes the necessary steps to enhance the current incentive program, by creating a new incentive for states that increase adoptions of children age 9 or older. Our children do not deserve to be languishing in foster care or living in dangerous situations. This bill will take a big step towards righting that wrong.

I would like to commend my colleagues on the Committee on Ways and Means, Representatives DAVE CAMP and BEN CARDIN, for their commitment to improving the Adoption Incentives program by the introduction of the Adoption Promotion Act of 2003. Their work on this legislation will assure that states continue to find safe, permanent homes for America's children.

Mr. Speaker, it's important that we continue to reward states for their good work in making adoptive matches and add additional incentive for those children still waiting for a home and loving family. With this in mind, I urge my colleagues to support America's foster children who are waiting on adoption by voting for this important bill.

Mr. CARDIN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. CAMP. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CAMP) that the House suspend the rules and pass the bill, H.R. 3182.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. CAMP. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 3182, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

VETERANS BENEFITS ACT OF 2003

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2297) to amend title 38, United States Code, to modify and improve certain benefits for veterans, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2297

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Veterans Benefits Act of 2003".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Expansion of Montgomery GI Bill education benefits for certain self-employment training.
- Sec. 3. Extension in period of eligibility for survivors' and dependents' education benefits for individuals who are involuntarily ordered to full-time National Guard duty.
- Sec. 4. Extension of Veterans' Advisory Committee on Education.
- Sec. 5. Repeal of provisions relating to obsolete education loan program.
- Sec. 6. Retention of Dependency and Indemnity Compensation for surviving spouses remarrying after age 55.
- Sec. 7. Eligibility of surviving spouses who remarry for burial in national cemeteries.
- Sec. 8. Permanent authority for State cemetery grants.

Sec. 9. Reinstatement of veterans vocational training program for certain pension recipients.

Sec. 10. Increase in amounts for certain adaptive benefits for disabled veterans.

Sec. 11. Presumptions of service-connection relating to diseases and disabilities of former prisoners of war.

Sec. 12. Extension of spina bifida benefits for children of Vietnam-era veterans.

Sec. 13. Permanent authority for housing loans for members of the Selected Reserve.

Sec. 14. Adjustment to home loan fees and uniformity of fees for qualifying Reserve members with fees for active duty veterans.

Sec. 15. Reinstatement of minimum requirements for sale of vendee loans.

Sec. 16. Rate of payment of benefits for certain Filipino veterans and their survivors residing in the United States.

Sec. 17. Burial benefits for new Philippine scouts residing in the United States.

Sec. 18. Extension of authority to maintain regional office in the Republic of the Philippines.

Sec. 19. Outstationing of transition assistance program personnel.

Sec. 20. Forfeiture of benefits for subversive activities.

Sec. 21. Technical amendments related to Jobs for Veterans Act.

Sec. 22. Technical and conforming relating to establishment of Social Security Administration as an independent agency.

SEC. 2. EXPANSION OF MONTGOMERY GI BILL EDUCATION BENEFITS FOR CERTAIN SELF-EMPLOYMENT TRAINING.

(a) DEFINITION OF TRAINING ESTABLISHMENT.—Section 3452(e) of title 38, United States Code, is amended by striking "means any" and all that follows and inserting "means any of the following:

"(1) An establishment providing apprentice or other training on the job, including those under the supervision of a college or university or any State department of education.

"(2) An establishment providing self-employment on-job training consisting of full-time training for a period of less than six months that is needed or accepted for purposes of obtaining licensure to engage in a self-employment occupation or required for ownership and operation of a franchise that is the objective of the training.

"(3) A State board of vocational education.

"(4) A Federal or State apprenticeship registration agency.

"(5) A joint apprenticeship committee established pursuant to the Act of August 16, 1937, popularly known as the 'National Apprenticeship Act' (29 U.S.C. 50 et seq.).

"(6) An agency of the Federal Government authorized to supervise such training."

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date that is six months after the date of the enactment of this Act and shall apply to self-employment on-job training approved and pursued on or after that date.

SEC. 3. EXTENSION IN PERIOD OF ELIGIBILITY FOR SURVIVORS' AND DEPENDENTS' EDUCATION BENEFITS FOR INDIVIDUALS WHO ARE INVOLUNTARILY ORDERED TO FULL-TIME NATIONAL GUARD DUTY.

(a) IN GENERAL.—Section 3512(h) of title 38, United States Code, is amended by inserting "or is involuntarily ordered to full-time National Guard duty under section 502(f) of title 32," after "title 10,".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as of September 11, 2001.

SEC. 4. EXTENSION OF VETERANS' ADVISORY COMMITTEE ON EDUCATION.

(a) EXTENSION.—Subsection (c) of section 3692 of title 38, United States Code, is amended by striking "December 31, 2003" and inserting "December 31, 2009".

(b) MODIFICATION OF MEMBERSHIP REQUIREMENTS.—The second sentence of subsection (a) of such section is amended by striking "World War II, the Korean conflict era, the post-Korean conflict era,".

(c) TECHNICAL AMENDMENT.—Such section is further amended by striking "chapter 106" each place it appears and inserting "chapter 1606".

SEC. 5. REPEAL OF PROVISIONS RELATING TO OBSOLETE EDUCATION LOAN PROGRAM.

(a) TERMINATION OF PROGRAM.—Subchapter III of chapter 36 of title 38, United States Code, is repealed.

(b) TRANSFER OF LOAN FUND BALANCE.—Any balance as of the date of the enactment of this Act in the Department of Veterans Affairs Education Loan Fund shall be transferred to the Department of Veterans Affairs Readjustment Benefits Account.

(c) DISCHARGE OF LIABILITY.—The Secretary of Veterans Affairs shall discharge any outstanding liability of a veteran under such subchapter. Any overpayment declared under section 3698(e)(1) of that subchapter shall be waived without further process on the date on which funds are transferred under subsection (b).

(d) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 36 of such title is amended by striking the items relating to subchapter III and sections 3698 and 3699.

(e) CONFORMING AMENDMENTS.—(1) Section 3462(a) of such title is amended by striking paragraph (2).

(2) Section 3485(e)(1) of such title by striking "(other than an education loan under subchapter III)".

(3) Section 3512 of such title is amended by striking subsection (f).

SEC. 6. RETENTION OF DEPENDENCY AND INDEMNITY COMPENSATION FOR SURVIVING SPOUSES REMARRYING AFTER AGE 55.

(a) EXCEPTION TO TERMINATION OF BENEFITS UPON REMARRIAGE.—Section 103(d)(2)(B) of title 38, United States Code, is amended by inserting "1311 or" after "under section".

(b) COORDINATION OF BENEFITS.—Section 1311 of such title is amended by adding at the end the following new subsection:

"(e) In the case of an individual who is eligible for dependency and indemnity compensation under this section by reason of section 103(d)(2)(B) of this title who is also eligible for benefits under another provision of law by reason of such individual's status as the surviving spouse of a veteran, then, notwithstanding any other provision of law (other than section 5304(b)(3) of this title), no reduction in benefits under such other provision of law shall be made by reason of such individual's eligibility for benefits under this section."

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on—

(1) the first day of the first month that begins after the date of the enactment of this Act; or

(2) the first day of the fiscal year that begins in the calendar year in which this Act is enacted, if later than the date specified in paragraph (1).

(d) RETROACTIVE BENEFITS PROHIBITED.—No benefit may be paid to any person by reason of the amendment made by subsections (a) and (b) for any period before the effective date specified in subsection (c).

(e) APPLICATION FOR BENEFITS.—In the case of an individual who but for having remar-

ried would be eligible for dependency and indemnity compensation under section 1311 of title 38, United States Code, and whose remarriage was before the date of the enactment of this Act and after the individual had attained age 55, the individual shall be eligible for such compensation by reason of the amendment made by subsection (a) only if the individual submits an application for such compensation to the Secretary of Veterans Affairs not later than the end of the one-year period beginning on the date of the enactment of this Act.

(f) TECHNICAL CORRECTION.—Section 101(b) of the Veterans Benefits Act of 2002 (Public Law 107-330; 116 Stat. 2821; 38 U.S.C. 103 note) is amended by striking "during the 1-year period" and all that follows through "(c)" and inserting "before the end of the one-year period beginning on the date of the enactment of the Veterans Benefits Act of 2003".

SEC. 7. ELIGIBILITY OF SURVIVING SPOUSES WHO REMARRY FOR BURIAL IN NATIONAL CEMETERIES.

(a) ELIGIBILITY.—Section 2402(5) of title 38, United States Code, is amended by striking "(which for purposes of this chapter includes an unmarried surviving spouse who had a subsequent remarriage which was terminated by death or divorce)" and inserting "(which for purposes of this chapter includes a surviving spouse who had a subsequent remarriage)".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to deaths occurring on or after January 1, 2000.

SEC. 8. PERMANENT AUTHORITY FOR STATE CEMETERY GRANTS.

Paragraph (2) of section 2408(a) of title 38, United States Code, is amended—

(1) by striking "for fiscal year 1999 and for each succeeding fiscal year through fiscal year 2004"; and

(2) by adding at the end the following new sentence: "Funds appropriated under the preceding sentence shall remain available until expended."

SEC. 9. REINSTATEMENT OF VETERANS VOCATIONAL TRAINING PROGRAM FOR CERTAIN PENSION RECIPIENTS.

(a) ESTABLISHMENT OF NEW PROGRAM PERIOD.—Subsection (a)(3) of section 1524 of title 38, United States Code, is amended by striking "the period beginning on February 1, 1985, and ending on December 31, 1995" and inserting "the five-year period beginning on the date of the enactment of the Veterans Benefits Act of 2003".

(b) CONFORMING AMENDMENT.—Subsection (b)(4) of such section is amended by striking "December 31, 1995" and inserting "the end of the program period".

(c) OUTREACH.—Such section is further amended by adding at the end the following new subsection:

"(f) The Secretary shall ensure that the availability of vocational training under this section is made known through a variety of means, including the Internet and announcements in Department publications and other veterans' publications."

(d) REPORTS.—Such section, as amended by subsection (c), is further amended by adding at the end the following new subsection:

"(g) Not later than two years after the date of the enactment of the Veterans Benefits Act of 2003, and each year thereafter, the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report on the operation of this section. The report shall set forth an evaluation of the vocational training provided under this section for the period involved, and shall include an analysis of the cost-effectiveness of the vocational training provided under this section as well as data on the entered-employment rate of veterans pursuing such vocational training."

(e) STYLISTIC AMENDMENTS.—Such section is further amended—

(1) by striking "of Veterans Affairs" in subsection (a)(1); and

(2) by striking "of this section" in subsections (a)(2), (b)(1), (b)(4) (both places it appears), (c), (d), and (e).

SEC. 10. INCREASE IN AMOUNTS FOR CERTAIN ADAPTIVE BENEFITS FOR DISABLED VETERANS.

(a) INCREASE IN ASSISTANCE AMOUNT FOR SPECIALLY ADAPTED HOUSING.—Section 2102 of title 38, United States Code, is amended—

(1) in the matter preceding paragraph (1) of subsection (a), by striking "\$48,000" and inserting "\$50,000"; and

(2) in subsection (b)(2), by striking "\$9,250" and inserting "\$10,000".

(b) INCREASE IN AMOUNT OF ASSISTANCE FOR AUTOMOBILE AND ADAPTIVE EQUIPMENT FOR CERTAIN DISABLED VETERANS.—Section 3902(a) of such title is amended by striking "\$9,000" and inserting "\$11,000".

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall apply with respect to assistance furnished on or after the date of the enactment of this Act.

SEC. 11. PRESUMPTIONS OF SERVICE-CONNECTION RELATING TO DISEASES AND DISABILITIES OF FORMER PRISONERS OF WAR.

Subsection (b) of section 1112 of title 38, United States Code, is amended to read as follows:

"(b)(1) For the purposes of section 1110 of this title and subject to the provisions of section 1113 of this title, in the case of a veteran who is a former prisoner of war—

"(A) a disease specified in paragraph (2) shall be considered to have been incurred in or aggravated by such service, notwithstanding that there is no record of such disease during the period of service; and

"(B) if the veteran was detained or interned as a prisoner of war for not less than thirty days, a disease specified in paragraph (3) which became manifest to a degree of 10 percent or more after active military, naval, or air service shall be considered to have been incurred in or aggravated by such service, notwithstanding that there is no record of such disease during the period of service.

"(2) The diseases specified in this paragraph are the following:

"(A) Psychosis.

"(B) Any of the anxiety states.

"(C) Dysthymic disorder (or depressive neurosis).

"(D) Organic residuals of frostbite, if the Secretary determines that the veteran was interned in climatic conditions consistent with the occurrence of frostbite.

"(E) Post-traumatic osteoarthritis.

"(3) The diseases specified in this paragraph are the following:

"(A) Avitaminosis.

"(B) Beriberi (including beriberi heart disease).

"(C) Chronic dysentery.

"(D) Helminthiasis.

"(E) Malnutrition (including optic atrophy associated with malnutrition).

"(F) Pellagra.

"(G) Any other nutritional deficiency.

"(H) Cirrhosis of the liver.

"(I) Peripheral neuropathy except where directly related to infectious causes.

"(J) Irritable bowel syndrome.

"(K) Peptic ulcer disease."

SEC. 12. EXTENSION OF SPINA BIFIDA BENEFITS FOR CHILDREN OF VIETNAM-ERA VETERANS.

(a) ELIGIBLE CHILDREN.—Subchapter I of chapter 18 of title 38, United States Code, is amended by inserting before section 1802 the following new section:

“§ 1801. Persons eligible for benefits

“An individual is an eligible child for purposes of this subchapter if the individual is suffering from spina bifida and is—

“(1) a child as defined in section 1821(1) of this title; or

“(2) the natural child, regardless of age or marital status, of a parent who during the period beginning on October 1 1967, and ending on May 7 1975, performed active military, naval, or air service in the Republic of Korea in the area between the south line of the Demilitarized Zone and a line five miles south of the Civilian Control Line established with respect to the Demilitarized Zone, but only if the individual was conceived after the parent performed such service.”.

(b) **HEALTH CARE.**—Section 1803(a) of such title is amended by striking “a child of a Vietnam veteran who is suffering from spina bifida” and inserting “an eligible child”.

(c) **VOCATIONAL TRAINING AND REHABILITATION.**—Section 1804(a) of such title is amended by striking “a child of a Vietnam veteran who is suffering from spina bifida” and inserting “an eligible child”.

(d) **MONETARY ALLOWANCE.**—Section 1805(a) of such title is amended by striking “any child of a Vietnam veteran” and inserting “any eligible child”.

(e) **CONFORMING AMENDMENTS.**—Chapter 18 of such title is amended as follows:

(1) The heading of the chapter is amended to read as follows:

“CHAPTER 18—DISABILITY BENEFITS FOR CHILDREN OF VIETNAM VETERANS AND OTHER VETERANS EXPOSED TO HERBICIDE AGENTS”.

(2) The heading of subchapter I is amended to read as follows:

“SUBCHAPTER I—CHILDREN BORN WITH SPINA BIFIDA”.

(3) The table of sections at the beginning of the chapter is amended—

(A) by striking the item relating to subchapter I and inserting the following:

“SUBCHAPTER I—CHILDREN BORN WITH SPINA BIFIDA”;

and

(B) by inserting before the item relating to section 1802 the following new item:

“1801. Persons eligible for benefits.”.

“LOAN FEE TABLE

| Type of loan | Veteran | Other obligor |
|--|---------|---------------|
| (A)(i) Initial loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other initial loan described in section 3710(a) other than with 5-down or 10-down (closed before October 1, 2003) | 2.00 | NA |
| (A)(ii) Initial loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other initial loan described in section 3710(a) other than with 5-down or 10-down (closed on or after October 1, 2003, and before October 1, 2011) | 2.15 | NA |
| (A)(iii) Initial loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other initial loan described in section 3710(a) other than with 5-down or 10-down (closed on or after October 1, 2011) | 1.40 | NA |
| (B)(i) Subsequent loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other subsequent loan described in section 3710(a) (closed before October 1, 2011) | 3.30 | NA |
| (B)(ii) Subsequent loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other subsequent loan described in section 3710(a) (closed on or after October 1, 2011 and before October 1, 2013) | 2.15 | NA |
| (B)(iii) Subsequent loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other subsequent loan described in section 3710(a) (closed on or after October 1, 2013) | 1.25 | NA |
| (C)(i) Loan described in section 3710(a) to purchase or construct a dwelling with 5-down (closed before October 1, 2011) | 1.50 | NA |
| (C)(ii) Loan described in section 3710(a) to purchase or construct a dwelling with 5-down (closed on or after October 1, 2011) | 0.75 | NA |
| (D)(i) Initial loan described in section 3710(a) to purchase or construct a dwelling with 10-down (closed before October 1, 2011) | 1.25 | NA |
| (D)(ii) Initial loan described in section 3710(a) to purchase or construct a dwelling with 10-down (closed on or after October 1, 2011) | 0.50 | NA |
| (E) Interest rate reduction refinancing loan | 0.50 | NA |
| (F) Direct loan under section 3711 | 1.00 | NA |
| (G) Manufactured home loan under section 3712 (other than an interest rate reduction refinancing loan) | 1.00 | NA |
| (H) Loan to Native American veteran under section 3762 (other than an interest rate reduction refinancing loan) | 1.25 | NA |
| (I) Loan assumption under section 3714 | 0.50 | 0.50 |
| (J) Loan under section 3733(a) | 2.25 | 2.25 |
| (K) Hybrid loan under section 3707A | 1.25 | NA”. |

(b) **CONFORMING AMENDMENTS.**—(1) Subparagraph (A) of paragraph (4) of such section is amended to read as follows:

“(A) The term ‘veteran’ means any veteran eligible for the benefits of this chapter.”.

(2) Such paragraph is further amended by striking subparagraph (B) and redesignating subparagraphs (C), (D), (E), (F), (G), (H), and (I) as subparagraphs (B), (C), (D), (E), (F), (G), and (H), respectively.

SEC. 15. REINSTATEMENT OF MINIMUM REQUIREMENTS FOR SALE OF VENDEE LOANS.

(a) **REINSTATEMENT.**—Subsection (a) of section 3733 of title 38, United States Code, is amended by striking paragraph (2).

(b) **INCREASE IN MAXIMUM PERCENTAGE.**—Paragraph (1) of such subsection is amended—

(1) by striking “65 percent” in the first sentence and inserting “85 percent”;

(2) by striking “may be financed” and inserting “shall be financed”; and

(3) by striking the second sentence.

(c) **STYLISTIC AMENDMENTS.**—Such section is further amended—

(1) by striking “of this subsection” after—

(A) “paragraph (1)” in subsections (a)(4)(A), (a)(5), (a)(6), and (c)(2); and

(B) “paragraph (5)” in subsection (a)(4)(B)(i); and

(2) by striking “of this paragraph” each place it appears in subsection (a)(4).

SEC. 16. RATE OF PAYMENT OF BENEFITS FOR CERTAIN FILIPINO VETERANS AND THEIR SURVIVORS RESIDING IN THE UNITED STATES.

(a) **RATE OF PAYMENT.**—Section 107 of title 38, United States Code, is amended—

(f) **TABLES OF CHAPTERS.**—The items relating to chapter 18 in the tables of chapters at the beginning of title 38, United States Code, and at the beginning of part II of such title, are amended to read as follows:

“18. Disability Benefits for Children of Vietnam Veterans and Other Veterans Exposed to Herbicide Agents 1801”.

SEC. 13. PERMANENT AUTHORITY FOR HOUSING LOANS FOR MEMBERS OF THE SELECTED RESERVE.

Section 3702(a)(2)(E) of title 38, United States Code, is amended by striking “For the period” and all that follows through “each” and inserting “Each”.

SEC. 14. ADJUSTMENT TO HOME LOAN FEES AND UNIFORMITY OF FEES FOR QUALIFYING RESERVE MEMBERS WITH FEES FOR ACTIVE DUTY VETERANS.

(a) **REVISED LOAD FEE TABLE.**—Paragraph (2) of section 3729(b) of title 38, United States Code, is amended to read as follows:

“(2) The loan fee table referred to in paragraph (1) is as follows:

SEC. 17. BURIAL BENEFITS FOR NEW PHILIPPINE SCOUTS RESIDING IN THE UNITED STATES.

(a) **BENEFIT ELIGIBILITY.**—Section 107 of title 38, United States Code, as amended by section 16, is further amended—

(1) in subsection (b)(2)—

(A) by striking “and” and inserting a comma; and

(B) by inserting “, 23, and 24 (to the extent provided for in section 2402(8))” after “(except section 1312(a))”;

(2) in the second sentence of subsection (b), as amended by section 16(a)(1), by inserting “or (d)” after “subsection (c)”;

(3) in subsection (d)(1), by inserting “or (b), as otherwise applicable,” after “subsection (a)”;

(4) in subsection (d)(2), by inserting “or whose service is described in subsection (b) and who dies after the date of the enactment of the Veterans Benefits Act of 2003,” after “November 1, 2000.”

(b) **NATIONAL CEMETERY INTERMENT.**—Section 2402(8) of such title is amended by striking “section 107(a)” and inserting “subsection (a) or (b) of section 107”.

(c) **EFFECTIVE DATE.**—The amendments made by subsections (a) and (b) shall apply with respect to deaths occurring after the date of the enactment of this Act.

SEC. 18. EXTENSION OF AUTHORITY TO MAIN-TAIN REGIONAL OFFICE IN THE RE-PUBLIC OF THE PHILIPPINES.

Section 315(b) of title 38, United States Code, is amended by striking “December 31, 2003” and inserting “December 31, 2009”.

SEC. 19. OUTSTATIONING OF TRANSITION ASSIST-ANCE PROGRAM PERSONNEL.

(a) **IN GENERAL.**—(1) Chapter 41 of title 38, United States Code, is amended by adding at the end the following new section:

“§4113. Outstationing of Transition Assist-ance Program personnel

“(a) **STATIONING OF TAP PERSONNEL AT OVERSEAS MILITARY INSTALLATIONS.**—(1) The Secretary—

“(A) shall station employees of the Veterans’ Employment and Training Service, or contractors under subsection (c), at each veterans assistance office described in paragraph (2); and

“(B) may station such employees or contractors at such other military installations outside the United States as the Secretary, after consultation with the Secretary of Defense, determines to be appropriate or desirable to carry out the purposes of this chapter.

“(2) Veterans assistance offices referred to in paragraph (1)(A) are those offices that are established by the Secretary of Veterans Affairs on military installations pursuant to the second sentence of section 7723(a) of this title.

“(b) **FUNCTIONS.**—Employees (or contractors) stationed at military installations pursuant to subsection (a) shall provide, in person, counseling, assistance in identifying employment and training opportunities, help in obtaining such employment and training, and other related information and services to members of the Armed Forces who are being separated from active duty, and the spouses of such members, under the Transition Assistance Program and Disabled Transition Assistance Program established in section 1144 of title 10.

“(c) **AUTHORITY TO CONTRACT WITH PRIVATE ENTITIES.**—The Secretary, consistent with such section 1144, may enter into contracts with public or private entities to provide, in person, some or all of the counseling, assistance, information and services under the Transition Assistance Program required under subsection (a).”

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“4113. Outstationing of Transition Assistance Program personnel.”

(b) **DEADLINE FOR IMPLEMENTATION.**—Not later than the date that is 90 days after the date of the enactment of this Act, the Secretary of Labor shall implement section 4113 of title 38, United States Code, as added by subsection (a), and shall have employees of the Veterans’ Employment and Training Service, or contractors, to carry out that section at the military installations involved by such date.

SEC. 20. FORFEITURE OF BENEFITS FOR SUBVER-SIVE ACTIVITIES.

(a) **ADDITION OF CERTAIN OFFENSES.**—Paragraph (2) of section 6105(b) of title 38, United States Code, is amended—

(1) by inserting “175, 229,” after “sections”; and

(2) by inserting “831, 1091, 2332a, 2332b,” after “798.”

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall apply to claims filed after the date of the enactment of this Act.

SEC. 21. TECHNICAL AMENDMENTS RELATED TO JOBS FOR VETERANS ACT.

(a) **JOB TRAINING AND PLACEMENT FUNCTIONS OF THE DEPARTMENT OF LABOR.**—(1) Subsection (c)(2)(B)(ii) of section 4102A of such title is amended by striking “October 1, 2002” and inserting “October 1, 2003”.

(2) The amendment made by paragraph (1) shall take effect as if included in the enactment of section 4(a) of the Jobs for Veterans Act (Public Law 107-288; 116 Stat. 2038).

(b) **OTHER TECHNICAL AMENDMENTS.**—(1) Such subsection is further amended by striking “, as amended by the Jobs for Veterans Act”.

(2) Subsection (f)(1) of such section is amended by striking “6 months after the date of the enactment of this section,” and inserting “May 7, 2003.”

SEC. 22. TECHNICAL AND CONFORMING RELAT-ING TO ESTABLISHMENT OF SOCIAL SECURITY ADMINISTRATION AS AN INDEPENDENT AGENCY.

Title 38, United States Code, is amended as follows:

(1) Section 1322 is amended—

(A) in subsection (a), by striking “Secretary of Health and Human Services” and all that follows through the period and inserting “Commissioner of Social Security, and shall be certified by the Commissioner to the Secretary upon request of the Secretary.”; and

(B) in subsection (b)—

(i) by striking “Secretary of Health and Human Services” in the first sentence and inserting “Commissioner of Social Security”;

(ii) by striking “the two Secretaries” and inserting “the Secretary and the Commissioner”; and

(iii) by striking “Secretary of Health and Human Services” in the second sentence and inserting “Commissioner”.

(2) Section 5101(a) is amended by striking “Secretary of Health and Human Services” and inserting “Commissioner of Social Security”.

(3) Section 5317 is amended by striking “Secretary of Health and Human Services” in subsections (a), (b), and (g) and inserting “Commissioner of Social Security”.

(4)(A) Section 5318 is amended—

(i) in subsection (a), by striking “Department of Health and Human Services” and inserting “Social Security Administration”; and

(ii) in subsection (b)—

(I) by striking “Department of Health and Human Services” and inserting “Social Security Administration”;

(II) by striking “Secretary of Health and Human Services” the first place it appears

and inserting “Commissioner of Social Security”;

(III) by striking “Secretary of Health and Human Services” the second place it appears and inserting “Commissioner”; and

(IV) by striking “such Secretaries” and inserting “the Secretary and the Commissioner”.

(B)(i) The heading of such section is amended to read as follows:

“§5318. Review of Social Security Administration death information”.

(ii) The item relating to that section in the table of sections at the beginning at chapter 53 is amended to read as follows:

“5318. Review of Social Security Administration death information.”

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SMITH) and the gentleman from Illinois (Mr. EVANS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 2297 as amended, the Veterans Benefit Act of 2003, contains 20 substantive provisions and is a diverse and comprehensive measure with very broad bipartisan support.

□ 1215

This bill will affect veterans and survivors alike.

Among the education provisions, the bill provides for an expansion of the Montgomery GI Bill, the college program, by authorizing educational assistance for on-job training in certain 6-month self-employment training programs. It provides an extension of the delimiting date for survivors’ and dependents’ education benefits when the eligible individual is involuntarily ordered to full-time National Guard duty. It provides for an extension of the VA’s Veterans’ Advisory Committee on education through December 31 of 2009 and for the repeal of the VA’s obsolete education loan program authorization. This program has not made a loan in the past several years because of other better options in the public and private sector.

The bill would also provide that the remarriage of the surviving spouse of a veteran after attaining the age of 55 would not result in the termination of Dependency and Indemnity Compensation, or the DIC program. It allows a remarried surviving spouse to attain eligibility for burial in a national cemetery based on his or her marriage to a veteran. It makes permanent the State Cemetery Grants Program. It reinstates a VA pilot program to provide vocational training to newly eligible VA nonservice-connected pension recipients.

It increases, Mr. Speaker, the specially adapted automobile grant from \$9,000 to \$11,000 and increases the specially adapted housing grant from \$48,000 to \$50,000 for the most severely disabled veterans and from \$9,350 to \$10,000 for less severely disabled veterans.

The bill also adds cirrhosis of the liver to the list of presumed service-connected disabilities for former prisoners of war.

It eliminates the requirement that a POW be held for 30 days or more to qualify for presumptions of service-connection for certain disabilities: psychosis and any of the anxiety states, organic residuals of frostbite, and post-traumatic osteoarthritis.

It expands benefits eligibility to those children with spina bifida who were born to Vietnam-era veterans who served in an area of Korea near the demilitarized zone between October 1 of 1967 and May 7 of 1975.

Out of concern about spina bifida, Mr. Speaker, I would note parenthetically that the gentleman from Michigan (Mr. STUPAK) and I formed the Congressional Spina Bifida Caucus, which we now co-chair. This caucus is dedicated to improving the health care and overall quality of life for the some 70,000 Americans and their families living with spina bifida, and in a very short time I would again note to my colleagues we have about 20 Members who have joined. And just a little push here in promotion, if they would like to join that spina bifida caucus, we would very much like to have them as part of it.

Let me continue with the bill.

H.R. 2297, as amended, would also make permanent the VA home loan program for members of the Selected Reserve. It reinstates the Department of Veterans Affairs' vendee loan program and provides the full amount of compensation and Dependency and Indemnity Compensation for eligible members of the New Philippine Scouts, who served just after World War II, who are legal residents of the United States. It also provides the full amount of DIC for service in the organized military forces of the Commonwealth of the Philippines, including organized guerrilla units, to individuals who are legal residents of the United States. It extends eligibility for burial in a national cemetery to New Philippine Scouts, as well as eligibility for burial benefits to those who lawfully reside in the United States. It extends the authority of the Secretary of Veterans Affairs to maintain a regional office in Manila, Philippines, through December 31 also of 2009.

It mandates that the Department of Labor place staff in veterans' assistance offices at overseas military installations 90 days after the date of enactment, and it expands the list of serious Federal criminal offenses a conviction of which would result in a bar to all VA benefits.

As I mentioned, Mr. Speaker, the bill addresses the needs for former prisoners of war. Current law requires former POWs to have been confined for at least 30 days before they qualify for a presumption of service-connection for certain disabilities. Prisoners of war in more recent conflicts, however, have been interred for shorter periods

of time. All the POWs from Operation Iraqi Freedom were confined for less than 30 days, for example.

Because physical and psychological trauma can indeed occur within minutes of capture, let alone days or weeks, H.R. 2297, as amended, would provide a presumption of service-connection disability without regard to length of confinement for certain psychiatric disabilities as well as cold-weather-related injuries and traumatic osteoarthritis.

The bill would also, as I said, add a number of other aspects, and I hopefully have outlined those adequately to the committee.

Let me just say, finally, Mr. Speaker, I really want to congratulate the gentleman from South Carolina (Mr. BROWN), the subcommittee chair of our Subcommittee on Benefits, and the gentleman from Maine (Mr. MICHAUD), his ranking member, for their outstanding work on this legislation, for doing the hard work, holding the hearings, working out all the different disparate provisions, and then working to bring it together in a bipartisan way so that we can present to this body a bill that we can all be proud of that will tangibly advance the ball when it comes to our veterans. I want to thank them very much for their good hard work and also the gentleman from Illinois (Mr. EVANS), my good friend and colleague, on whom we have partnered for years now as chairman and ranking member, working on bills to benefit our veterans both on the health care area and benefits area. I want to thank him as well.

Mr. Speaker, I reserve the balance of my time.

Mr. MICHAUD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of H.R. 2297, the Veterans Benefits Act of 2003. I would like to thank the gentleman from New Jersey (Chairman SMITH) and the gentleman from Illinois (Mr. EVANS), ranking member, for their leadership on the full committee on this important measure.

I would also like to thank personally the gentleman from South Carolina (Chairman BROWN) for his leadership and professionalism on our subcommittee as well as staff on both sides of the aisle who have worked so hard during this session.

The Veterans Benefits Package of 2003 includes provisions drawn from many bills considered by the Subcommittee on Benefits this year. I am especially pleased that this legislation includes bills introduced by Members of both sides of the aisle.

Our Nation's service members and veterans have earned, and their family deserve, all the benefits provided under H.R. 2297. Indeed, they deserve so much more as well. I am pleased that this package takes a strong step in the right direction.

Mr. Speaker, I am proud to sponsor many of the measures that were incorporated in H.R. 2297, including provi-

sions aimed to equalize home loan benefits for members of the Guard and Reserve, improve veterans' education benefits, enhance self-employment opportunities, and expand employment counseling and job search assistance for service members returning to civilian life after separating from military installations overseas.

H.R. 2297 provides for more equitable and rational treatment of surviving spouses and Filipino World War II veterans, which I fully support. It allows former prisoners of war to qualify for certain presumptions of service-connection and adds cirrhosis of the liver to the disease considered presumptively disabling for POWs. It also allows the Gold Star Wives to remarry after age 55 without losing the Dependency and Indemnity Compensation benefits which they currently receive.

This measure is long overdue.

Mr. Speaker, the provisions in this package will benefit the service members and veterans from my State of Maine and all around the country. It will also help others. I fully support H.R. 2297 and urge my colleagues to do the same.

Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of New Jersey. Mr. Speaker, I yield such time as he may consume to the gentleman from South Carolina (Mr. BROWN), our distinguished chairman of the Subcommittee on Benefits, and again I want to thank him for his good work on this bill.

Mr. BROWN of South Carolina. Mr. Speaker, the chairman has done a great job in explaining the bill under consideration. As chairman of the Subcommittee on Benefits, I would like to take this opportunity to thank a few members of the House Committee on Veterans' Affairs for their hard work.

We would not be considering this bill today without the bipartisan spirit of the Subcommittee on Benefits. The gentleman from Maine (Mr. MICHAUD), ranking member, and I have established a strong working relationship, a relationship built on what is best for our service members, veterans, and their families. Likewise, we enjoy strong participation from the subcommittee members, and I would like to thank them for their support and dedication.

We are very fortunate to have the gentleman from New Jersey's (Chairman SMITH) vision and leadership at the full committee level. As a member of the committee for more than 20 years, he clearly understands how important these benefit programs are to deserving veterans.

Likewise, the gentleman from Illinois (Mr. EVANS) has been a strong advocate for our military throughout his congressional career.

I am pleased to serve on this committee, which brings to the floor, year in and year out, such quality legislation.

Lastly, Mr. Speaker, I want to commend the gentleman from Florida (Mr.

BILIRAKIS) for his dedication to the surviving spouses of our active-duty service members and veterans. I have been a strong supporter of allowing these widows and widowers to marry and still retain their dependency and indemnity compensation. I am pleased this subcommittee was able to identify the offsets necessary to include this provision in H.R. 2297, as amended.

As the chairman indicated, the gentleman from Florida (Mr. BILIRAKIS) has introduced his bill to help widows in seven Congresses. I appreciate his patience with the process. As my colleagues may remember, the House passed this provision in legislation in the 107th Congress. I intend to work with my colleagues in the other body to ensure that this provision is retained during negotiations on the final version of the benefits package for the first session of the 108th Congress. Many survivors in the First District of South Carolina will benefit, as well as military survivors in all 50 States.

H.R. 2297, as amended, contains more than 20 provisions which would enhance, improve, or extend benefits to our most deserving veterans, those who put their lives on the line daily defending our homeland. I am proud to serve on the authorizing committee overseeing these benefits, and I urge my colleagues to support this bill.

Mr. MICHAUD. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. EVANS), ranking member of the full committee, a gentleman who has fought for veterans issues as long as he has been in Congress.

Mr. EVANS. Mr. Speaker, I thank the gentleman for yielding me this time and for his fine work on the Subcommittee on Benefits package this year.

Mr. Speaker, I rise in strong support of H.R. 2297, a legislative package encompassing a number of important measures that help our veterans.

I would like to take the time to recognize the gentleman from New Jersey (Mr. SMITH), chairman of the full committee, who has done a great job working hand in hand together. As we get back in session, we have got a few things to cover, and I look forward to working with him on that.

I want to thank the gentleman from South Carolina (Mr. BROWN), Mr. Speaker, for his hard work in bringing this important legislation to the floor. This has been truly a bipartisan effort.

I am very proud to have been an original cosponsor of this package. I am pleased that this bill incorporates a number of measures from bills I have introduced. I am also pleased that it has included provisions to provide long-term, overdue benefits to our Gold Star Wives and Filipino veterans.

Mr. Speaker, H.R. 2297 is a good bill, and I urge all Members to show their support for our troops and veterans by voting for it.

Mr. SMITH of New Jersey. Mr. Speaker, I yield such time as he may consume to the gentleman from Flor-

ida (Mr. BILIRAKIS) who is the vice chairman of the committee and has been, and as the gentleman from South Carolina (Mr. BROWN) pointed out, seven times he has now tried to get the Gold Star Wives' compensation not lost if they were to remarry, and this time we have it in the bill. Last year when we sent it over to the Senate, we lost it, but this time I think the seventh time is the charm, and I thank him for his leadership.

Mr. BILIRAKIS. Mr. Speaker, I thank the gentleman for yielding me this time.

I, too, rise in strong support of the bill. It addresses, in addition to many other things that it does, an issue that I have been working on for a number of years, and I thank my colleagues sincerely for their recognition of those efforts.

Dependency and Indemnity Compensation, DIC, as others have already said, is a benefit accorded to the surviving dependents of those of the Armed Forces who died while on active duty or of a service-connected cause. Who would argue that this benefit is undeserved? I have always felt that their sacrifices even exceed, even exceed, those of the service member.

DIC is the only Federal annuity program that does not allow a widow who is receiving compensation to remarry at an older age and retain her annuity. Earlier this year I reintroduced legislation which provides that the remarriage of the surviving spouse of a veteran after age 55 shall not result in termination of Dependency and Indemnity Compensation. I have heard, as I am sure most of us, from military widows from across the country who have found someone they would like to spend the rest of their lives with but cannot afford to do so because of the current law. They have expressed deep frustrations about not being able to remarry. Many of these women lost their husbands at a very young age and have been alone for a long time. They have finally found someone to share their lives with, but they are afraid to remarry because they will lose their DIC benefits.

I think it is a wonderful thing if an older person finds companionship, falls in love, and decides to marry. I do not think we should be discouraging such marriages by making them financially burdensome.

□ 1230

For those remarrying after the age of 55, it is often the case that both partners are living on fixed incomes. The prospect of one partner losing financial benefits as a result of the marriage is a real disincentive. In fact, current law makes it virtually impossible for some couples to marry after age 55 because they simply cannot afford to do so and continue to support themselves.

Mr. Speaker, I would like so very much to thank the gentleman from New Jersey (Chairman SMITH); the ranking member, the gentleman from

Illinois (Mr. EVANS); the Subcommittee on Benefits chairman, the gentleman from South Carolina (Mr. BROWN); and the subcommittee ranking member, the gentleman from Maine (Mr. MICHAUD) for working with me to include, finally, DIC remarriage provisions in this legislation, H.R. 2297.

I urge my colleagues to support the bill before us today.

Mr. MICHAUD. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Chairman, I want to thank the gentleman from Maine (Mr. MICHAUD) for yielding me time. I also want to commend the chairman of the Committee on Veterans' Affairs, the gentleman from New Jersey (Chairman SMITH), and the ranking member, my good friend and neighbor, the gentleman from Illinois (Mr. EVANS), for the outstanding leadership that they continue to provide as we try and make sure that our veterans receive the benefits that they are indeed due.

I represent a district that has a number of very core veterans' facilities. I have three Veterans' Administration hospitals in my district, as well as a residence. Unfortunately, one is slated to be closed. But we have a large number of veterans who are always seeking services.

Particularly, I want to mention the addition of cirrhosis of the liver to the list of service-connected disabilities, which I think is so important, and also the provision of services for the Filipino scouts. I have a very active Filipino community and group of individuals who lobby me consistently about the role that the Filipinos played in giving assistance to this country. They deserve to, in fact, be included, and I am just simply delighted to see those additions.

So, again, I want to commend the Committee on Veterans' Affairs under the leadership of Chairman SMITH and the ranking member, the gentleman from Illinois (Mr. EVANS), for the services that they provide to all of us as we provide benefits to our veterans, who have given so much to our country.

Mr. MICHAUD. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. SMITH of New Jersey. Mr. Speaker, before yielding back, I do want to thank and commend the hard work of committee staff, Devon Seibert, Paige McManus, Darryl Kehrer, Patrick Ryan, Kingston Smith, Jim Holley, Mary Ellen McCarthy, Geoffrey Colver, Leah Booth and so many others who have made this legislation and all the bills that we work cooperatively on with my friend and colleague, the gentleman from Illinois (Mr. EVANS), to bring to the floor what we think are quality, well-vetted, very thoughtful pieces of legislation that make the difference in the lives of veterans and their families.

This is another example of that kind of cooperation. This is the way this

body should work, and it is so good to see us again working hand-in-glove in this partnership. Again, I want to thank the gentleman from South Carolina (Mr. BROWN) and the gentleman from Maine (Mr. MICHAUD) for their good work as chairman and ranking member of the subcommittee. I urge all Members to support this bill.

Mrs. WILSON of New Mexico. Mr. Speaker, I rise today in support of H.R. 2297. Within the bill there is a provision which is very special to me personally.

Millions of men and women have served honorably in the United States military. One of the promises we make to veterans is that they may be laid to rest in a national cemetery, if they so choose, and that their spouse can be buried with them.

Today there are 26 million living United States veterans. Behind each of these veterans is a husband or wife who has carried a greater burden than most of us ask our husbands or wives to carry. These spouses are just as important to our Nation as the veterans to whom they are, and were, married. But there is a glitch in the law which denies them their right, as the surviving spouse of a veteran, to be buried in a national cemetery with their husband or wife, in some circumstances.

The law also says that if a veteran's spouse dies and he or she remarries, both spouses are eligible for burial in a national cemetery. But, if a veteran dies and the spouse remarries a non-veteran, the spouse can't be buried with their first spouse in a national cemetery. It is this problem that this bill, H.R. 2297, seeks to remedy.

Kay Brown is a constituent of mine. She told me the story of her mother, Francis Gilkerson.

E.T. Gilkerson met and married Kay Brown's mother, Francis, some 66 years ago. It was during World War II and E.T. signed up as an enlisted volunteer for the Air Force. He was an X-Ray technician stationed in Fresno, California, for three years. After he got out of the service, he and Francis were married for 56 years until he died at the age of 84 in 1993.

Some years went by and Francis met an 80-year-old fellow who was also a widower and a neighbor in the mobile home park where they both lived. The two of them were both very lonely and they found comfort and friendship in each others company. Francis was of a generation who would never consider living with somebody unless they were married. She was very concerned that she should be buried with her first husband and did not want to get married for a second time if that right was to be taken away from her. So Kay contacted the local VA on her mother's behalf to check. According to Kay, the VA asked her if her mother and father were still married at the time of his death. The answer was "yes," and the VA said that it wouldn't be a problem for Kay's mom to be buried at the national cemetery in Santa Fe.

Francis married her second husband and lived very happily until her death in September of 2000. When Kay Brown was at the mortuary making arrangements for her mother's cremation, the mortician asked her where she was to be buried. Kay said that she was to be buried at the national cemetery in Santa Fe with her husband of 56 years. The mortician shook his head and said that wasn't possible because her second husband was not a veteran.

When Kay called the VA again after her mother's death, they told her that the law prohibited her mother from being buried with her father because she had remarried a non-veteran who was living when Kay's mom died.

The VA gave Kay the wrong information when she first asked, and their error has caused heartache for Kay and her family. But the prohibition is in the law.

The ashes of Kay's mother, Francis, are still in a closet at Kay's house. But there are thousands of other widows and widowers in the same situation. The law gives the surviving veteran's spouse (many of them elderly women) a Hobson's choice: live alone in order to keep your burial right, or give up your right to be buried with your first spouse, to have companionship in your sunset years.

H.R. 2297 would allow surviving spouses to remarry and still be buried in a national cemetery with their first spouse if they choose.

Mr. FILNER. Mr. Speaker, I rise today in support of H.R. 2297, the Veterans Benefits Act of 2003. This bill contains many improvements in the benefits for our Nation's veterans and for their survivors and dependents.

One important provision of this legislation that I would like to highlight will positively affect many Filipino veterans of World War II who are living in the United States, as well as their survivors. Many of my colleagues know that in 1946, Congress unfairly rescinded the benefits of many Filipino veterans and cut in half the benefits of many others—those who were service-connected disabled veterans. This limitation on compensation benefits was intended to reflect the difference in the cost of living between the Philippines and the United States.

But in the 60 years since World War II, a large number of Filipino veterans and their dependents have immigrated to our country. As citizens or permanent residents, these disabled Filipino veterans face living expenses comparable to those of United States veterans. Limiting their benefits has caused hardships for these disabled veterans and for their survivors who are receiving DIC (disability indemnity compensation). To fix this inequity, this bill eliminates the "50 cents on the dollar amount" that they are currently receiving and restores full payment of their compensation benefits.

In addition, it extends burial benefits in national cemeteries for the Filipino World War II veterans living in the United States who, to this date, did not have these benefits—namely, the New Philippine Scouts. And the bill provides other in-kind and monetary burial benefits to these deserving veterans.

I am elated that, with this legislation, my colleagues are addressing the 60-year-long injustice to Filipino soldiers who lived in a territory of the United States and fought side-by-side with our soldiers from the mainland during World War II. Without their vital participation in this war, the outcome might have been entirely different!

Combined with H.R. 2357, which has passed the House and which improves access to VA medical facilities for Filipino World War II veterans who live in the United States, we are clearly making progress. I sincerely thank the Chairman of the House Veterans Affairs Committee (Mr. SMITH) and the Chairmen and Ranking Members of the House VA Benefits and Health Subcommittees (Mr. SIMMONS, Mr. BROWN, Mr. RODRIGUEZ, and Mr. MICHAUD) for

their assistance in putting these bills forward. And a special thank you to my colleague, VA Committee Ranking Member LANE EVANS who, with me, at a Veterans Town Hall Meeting in San Diego County ten years ago, heard firsthand the moving story of the injustices affecting Filipino World War II veterans, voted into law by the 1946 Congress. We heard this story from one veteran who had survived the Bataan Death March. From that moment, he has been my ally in this fight to restore justice and equity. I thank him for his unfailing support.

My colleagues, please join me in voting for H.R. 2297.

Ms. CORRINE BROWN of Florida. Mr. Speaker, H.R. 2297, the Veterans Benefits Act of 2003, would expand the Montgomery GI Bill program to provide veterans considering self-employment with improved access to training benefits, including training related to franchises. Allowing veterans to use their MGIB benefit in this manner gives the flexibility necessary so that veterans can pursue an educational path that best suits their talents and interests.

Additionally, this legislation would allow a surviving spouse of a veteran to be eligible for burial in a VA national cemetery regardless of the status of a subsequent marriage. In many cases, the veteran's children and grandchildren, and often the most recent spouse of the veteran, support this burial eligibility.

This legislation also makes important strides in including more disabilities as service-connected. The VA Advisory Committee on Former Prisoners of War recommended that the original 30-day requirement for service-connection be eliminated for all psychiatric conditions, cold weather related injuries and post traumatic arthritis. No durational criteria exist for post-traumatic stress syndrome or frostbite. PTSD is common in former prisoners of war. And frostbite can occur within hours if the temperature is low enough. Post-traumatic arthritis is a condition that comes from trauma—which can occur in seconds. Removing the 30-day requirement is the right thing to do in order to make these disabilities presumptive.

H.R. 2297 also expands benefits eligibility to children with spina bifida who were born to veterans who served in an area of Korea near the demilitarized zone between October 1, 1967 and May 7, 1975. The Department of Defense estimates that approximately 12,056 service members were potentially exposed to Agent Orange and other herbicides while serving in the Republic of Korea between 1968 and 1969. This legislation is similar to other legislation that covers the children of members of the Armed Forces that serve in Vietnam.

This legislation also provides for uniformity of home loan guaranty fees between reserve and active duty members of the Armed Forces. Reservists have traditionally been paying a funding fee that is 75 percent higher than active duty members, although reservists have a lower foreclosure rate than other loan guaranty beneficiaries.

H.R. 2297 includes many other benefits that will help us to meet our veterans' needs. This is a step in the right direction. However, time and time again, our veterans' needs are being ignored.

Not only do America's veterans face issues with concurrent receipt, but they also face long waiting periods to see a VA doctor and prescription drug copayments. Also, VA still

needs \$1.8 billion to bring the fiscal year 2004 appropriation to the level set forth by the Budget Resolution. Where are our priorities?

On average, 14,000 veterans have been waiting more than 15 months for their disability claims to be finalized. And 200,000 veterans wait for six months or more for an appointment at VA hospitals. This shabby treatment of our veterans is intolerable. If we can come up with an \$87 billion supplemental appropriation for the war in Iraq, in addition to the \$63 billion already provided by Congress, then surely we can give VA the \$1.8 billion that is necessary to minimally provide for our veterans. We should be ashamed of ourselves.

At this time, more than every, we need to show our veterans that we appreciate them. We first need to pass H.R. 2297, the Veterans Benefits Act of 2003; then we need to give VA the \$1.8 billion it still needs to bring the fiscal year 2004 appropriation to the level set forth by the Budget Resolution. Our veterans should not have to come begging at our doors.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I rise today to state my support of H.R. 2297. Coming from the First District of Virginia, where roughly 100,000 military veterans live, it goes without saying that this legislation is of enormous importance. For that reason, I want to commend Chairman CHRIS SMITH, Ranking Member LANE EVANS, and their hard-working colleagues and staff on the House Veterans Affairs Committee for getting this bill to us on the floor today. I would also like to share some observations about a few aspects of the bill.

I am pleased that H.R. 2297 restores the Dependency and Indemnity Compensation (DIC) benefit to those who wish to remarry after 55 years of age. As many of my constituents know, DIC is a monthly benefit paid to surviving spouses of uniformed service members who die either in the line of duty or from a service-connected disability. Until this bill reaches the President for enactment, eligible survivors who remarry after 55 will continue to lose this benefit.

I am also pleased that H.R. 2297 restores some equity in education benefits for those National Guard members who are eligible for Title 38 survivors and dependents education benefits, bringing them in line with their Reserve counterparts. Presently, only Title 38-eligible Reservists, who have been activated post-9/11, have the end date of their eligibility extended by a period equal to the length of the call-up period plus 4 months. H.R. 2297 offers the same extension to eligible members of the Guard.

Finally, I want to commend the committee for expanding Montgomery GI Bill education benefits for self-employment training for veterans and disabled veterans. H.R. 2297 would authorize educational assistance benefits for on-job training of less than six months in specified self-employment training programs. Under the Veterans Entrepreneurship and Small Business Development Act (Public Law 106-50), Federal agencies are required to support self-employment for veterans directly and through partnerships with the private sector. H.R. 2297 would improve access to related training benefits.

In the present atmosphere, in which many members are having the sincerity of their commitment to fairness for veterans questioned, it is reassuring to see that dedicated people like

my colleagues, Chairman SMITH and Ranking Member EVANS, are bringing their efforts to bear on behalf of veterans in a way that should clearly have a positive impact. I now look forward to the Senate acting on this legislation to expedite its passage.

Ms. BORDALLO. Mr. Speaker, I rise today in support of H.R. 2297, a bill that will significantly improve the quality of benefits offered to Guam's veterans.

In addition to offering enhanced education, disability and home loan benefits to veterans and their families, H.R. recognizes the efforts of veterans of the Philippine Commonwealth Army or new Philippine Scouts by ensuring their right to be buried at Arlington National Cemetery. I am pleased that H.R. 2297 will honor these brave soldiers whose contributions helped secure victory in the Pacific.

Mr. Speaker, it is important that we demonstrate to our men and women in uniform our nation's continued commitment to members of the armed services, past, present and future. I am committed to improve the conditions of veterans in Guam. They need access to affordable housing and vocational training. Disabled veterans need assistance that recognizes the struggle of daily life they must endure for having served their country.

I commend Chairman SMITH and Ranking Member EVANS for their leadership on this important legislation that will reiterate our nation's commitment to veterans. I look forward to reporting to the people of Guam that this legislation has become law and that we have taken another step in honoring our commitment to veterans.

Mr. REYES, Mr. Speaker, I rise today in support of H.R. 2297, the Veterans Benefits Act of 2003. This bill will provide an overdue expansion of several benefits already available to many veterans.

Mr. Speaker I have long been an advocate for expansion of benefits to those veterans who suffered as a result of environmental exposures during military service. Because we now have the acknowledgment from the Department of Defense that Agent Orange and other similar herbicides were used near the Korean Demilitarized Zone (DMZ) in the late 1960's, this bill will allow the children of veterans who were exposed to herbicides in Korea to receive the same benefits from the Department of Veterans' Affairs (VA) as those provided for children whose parents were exposed in Vietnam.

As you know, the members of the 507th Maintenance Company that were recently interned as prisoners of war in Iraq hailed from the district that I represent. This situation impacted our entire community. I am proud to say that as a member of the House Veterans Affairs Committee, I pushed for the removal of the 30-day internment requirement for former prisoners of war (POWs) with certain presumptive service-connection disabilities. These disabilities suffered by these POWs may have occurred within minutes or hours of their internment. I am glad that this issue will be addressed and included in this legislation. Mr. Speaker, this is merely a small recognition of former POWs who deserve more than what we are providing for them.

Mr. Speaker, I would like to thank the Chairman and sponsor of this bill, Mr. CHRIS SMITH, as well as Ranking Member LANE EVANS for working with me and for the rapid consideration of this important legislation. I strongly

urge my colleagues to join me in support of passage of this bill.

Mr. SMITH of New Jersey. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. CULBERSON). The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 2297, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. SMITH of New Jersey. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

SUPPORTING ERECTION OF NATIONAL RAILROAD HALL OF FAME

Mr. PORTER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 342) supporting the National Railroad Hall of Fame, Inc., of Galesburg, Illinois, in its endeavor to erect a monument known as the National Railroad Hall of Fame.

The Clerk read as follows:

H. RES. 342

Whereas Galesburg, Illinois, has been linked to the history of railroading since 1849 when the Peoria and Oquawka Railroad was organized;

Whereas the citizens of Galesburg supported a railroad to Chicago which was chartered as the Central Military Tract Railroad in 1851;

Whereas upon completion of the Central Military Tract Railroad, the Northern Cross Railroad joined the Central Military Tract Railroad at Galesburg;

Whereas in 1886 Galesburg secured the Atchison, Topeka, and Santa Fe Railway and became one of the few places in the world served by 2 major railroads;

Whereas the National Railroad Hall of Fame, Inc., has been established in Galesburg and chartered under the laws of the State of Illinois as a not-for-profit corporation;

Whereas the objectives of the National Railroad Hall of Fame, Inc., include (1) perpetuating the memory of leaders and innovators in the railroad industry, (2) fostering, promoting, and encouraging a better understanding of the origins and growth of railroads, especially in the United States, and (3) establishing and maintaining a library and collection of documents, reports, and other items of value to contribute to the education of all persons interested in railroading; and

Whereas the National Railroad Hall of Fame, Inc., is planning to erect a monument known as the National Railroad Hall of Fame to honor the men and women who actively participated in the founding and development of the railroad industry in the United States; Now, therefore, be it

Resolved, That the House of Representatives supports the National Railroad Hall of Fame, Inc., of Galesburg, Illinois, in its endeavor to erect a monument known as the National Railroad Hall of Fame.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nevada (Mr. PORTER) and the gentlewoman from Florida (Ms. CORRINE BROWN) each will control 20 minutes.

The Chair recognizes the gentleman from Nevada (Mr. PORTER).

Mr. PORTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of this bipartisan resolution in support of the National Railroad Hall of Fame in Galesburg, Illinois.

The history of railroading in Illinois began in 1837 with the construction of a rail line linking the Illinois and the Mississippi Rivers. From that small beginning, Illinois emerged as the major connecting point for railroads linking the entire continent.

The National Railroad Hall of Fame in Galesburg, Illinois, was founded to honor the memory of the inventors, the engineers, the surveyors, the financiers and workers who built these great railroads.

Past inductees to the National Railroad Hall of Fame include George Pullman, developer of the famous Pullman sleeping car, and Cyrus K. Holliday, builder of the Atchison Topeka & Santa Fe.

Another great and recent inductee is Ralph Budd, president of the Great Northern and the Chicago, Burlington & Quincy railroads. In the 1930s, Mr. Budd rejuvenated passenger rail service by developing the fastest and most efficient train of its time, the Pioneer Zephyr.

Highly streamlined and constructed of lightweight stainless steel, the Pioneer Zephyr represented a true landmark in the history of passenger railroading. On May 26, 1934, this train made a record-breaking trip from Denver to Chicago, a distance of 1,000 miles, in only 13 hours. Today, that same train trip takes over 17 hours.

The mission of the National Railroad Hall of Fame is to perpetuate the memory of great railroaders, such as Ralph Budd, and to serve as an educational resource for our younger generation. I strongly urge approval of this resolution.

Mr. Speaker, I reserve the balance of my time.

Ms. CORRINE BROWN of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I think one of the most valuable lessons we have learned from the tragic events of September 11 is just how important our railroads are to this country. With the aviation system grounded, American railroads were working hard to help both passenger and freight reach their destinations. Not only was this important to keep the economy running, but sent an important message to our enemies that American transportation system was still the strongest in the world.

On November 12, 2001, I was in New York when American Airlines Flight 587 crashed shortly after taking off from JFK Airport, creating a national

panic and shutting down the entire city. Fortunately for me and many other Members of Congress who ended up at Penn Station that day, Amtrak was still running, and returned us safely to Washington to deal with this latest tragedy. I realized once again just how important Amtrak is to the American people and how important it is for this Nation to have alternate modes of transportation.

I personally fell in love with railroads as a child watching the Silver Meteor passenger train pass my house in Jacksonville, and today I get firsthand information on the railroads from my friends, constituents and my brother, who worked with CSX for over 30 years, which I proudly say is headquartered in my district.

Since the first horse-drawn cars hauled coal on steel rails, the success of the U.S. economy has been directly linked to the success of the railroad industry. It is only right to pay homage to the men and women who have worked so hard to build this Nation's railroad infrastructure.

The National Railroad Hall of Fame's goal is to promote and encourage a better understanding of this country's railroads, and is collecting documentation and information that is open to the public. The planned National Railroad Hall of Fame Monument will honor the men and women responsible for founding and developing the U.S. rail industry.

I want to thank the gentleman from Illinois (Mr. EVANS) for introducing this legislation. The veterans of this Nation have no better friend in Congress than the gentleman from Illinois (Mr. EVANS). It has been an honor serving with him on the Committee on Veterans' Affairs, and I am glad to join him in celebrating the noble history of American railroads.

Mr. Speaker, I encourage my colleagues to support this excellent legislation, which educates the public on the vital role our railroad plays in the development of our young Nation and the strong role it plays in the world economy today.

Mr. Speaker, I reserve the balance of my time.

Mr. PORTER. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. SHIMKUS).

(Mr. SHIMKUS asked and was given permission to revise and extend his remarks.)

Mr. SHIMKUS. Mr. Speaker, I rise today in support of this legislation that seeks to create a privately-funded museum to help promote a better understanding of the origins and growth of the railroad industry in America. I would like to thank my friend the gentleman from Illinois (Mr. EVANS) for introducing this legislation.

The resolution highlights the efforts of men and women whose hard work and resourcefulness helped build one of the Nation's best modes of transportation. Nowhere can this be seen better than in my home State of Illinois. Illi-

nois has had a pioneering role in the Nation's railroad industry since 1837 with the creation of the Northern Cross Railroad, linking the Illinois and the Mississippi Rivers together for commerce and transportation. Railroads are just one of the reasons why Illinois is considered the transportation hub of the country.

The National Railroad Museum would be located in Galesburg, Illinois. Galesburg has a rich history of railroads, being first connected to Chicago by rail in 1854 and being home of the Carl Sandburg College, one of the first colleges to establish an educational curriculum in railroading.

Mr. Speaker, we all rely on staff. Many times their work goes unrecognized. I also wanted to take this time to thank Ken Johnson of the Committee on Energy and Commerce and a native of Galesburg, Illinois, for his work on this issue. I know his folks, family and friends from Galesburg are very proud of his efforts.

Mr. Speaker, I urge my colleagues to support this resolution.

Ms. CORRINE BROWN of Florida. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. EVANS).

Mr. EVANS. Mr. Speaker, I am here today to urge my colleagues to support H. Res. 342, a resolution recognizing the National Railroad Hall of Fame in my district in Galesburg, Illinois.

Galesburg is a city rich in railroading history. In 1849, the Peoria and Oquawka Railroad first connected Galesburg to the railroad system in western Illinois. Soon after, the people of Galesburg worked hard to develop connections between Chicago and the Mississippi River, eventually expanding the railroad into the West. By 1886, Galesburg became one of the few places in the world to be served by two major railroads.

Because of this rich history, a private group in Galesburg formed to develop the National Railroad Hall of Fame in Galesburg, Illinois. The mission of the Hall of Fame is focused on honoring the men and women who have developed, maintained and strengthened one of the world's greatest forms of transportation. The Hall of Fame is being built to inspire future generations to continue in America's tradition of growth and ingenuity. This resolution simply recognizes the project put together by the National Railroad Hall of Fame to maintain that history and go forth in the next step in its development.

Before I finish, I would like to thank my colleagues, the gentleman from Illinois (Mr. LAHOOD) and the gentleman from Illinois (Mr. SHIMKUS), for their support. This would not have happened without the support of their staff people. I also want to thank the chairman and ranking member of the Committee on Transportation and Infrastructure for their quick action on this bill.

I want to thank Bob Bondi of Galesburg, who has worked tirelessly to get

this organization on its feet and with my staff to pass this resolution. Also I would like to thank Ken Johnson, who has been of tireless help to us. Ken, it would not happen without your support.

Finally, I would like to thank the Committee on Energy and Commerce and Erin Doyle on my staff for her work on this bill.

This represents good bipartisan support. It is something long overdue.

□ 1245

Mr. PORTER. Mr. Speaker, I reserve the balance of my time.

Ms. CORRINE BROWN of Florida. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Speaker, I want to thank the gentlewoman from Florida for yielding and also commend her for her tremendous leadership. I also want to commend the gentleman from Illinois (Mr. EVANS), my good friend, for introducing this legislation. I think it is so timely and so important.

I grew up during the era of trains, and I can remember being a small child and seeing trains zip by. I was also part of what we call the Great Migration, and that is people who lived in the area of the country where I lived, in the south, in Arkansas, migrating to the Midwest, to the north, going west to California. I also remember the cultural experiences that people had with trains. Writers and blues singers: "C.C. Rider, See What You Have Done"; "Take the A Train"; "The Wabash Special"; "The Chattanooga Choo Choo: Pardon me, boy, is that the Chattanooga Choo Choo."

So trains were a great part of the history and development and the culture of this country, and for the gentleman from Illinois (Mr. EVANS) to capture that in terms of a Railroad Hall of Fame I think is indeed commendable. I simply voice my support for it; and once again, it indicates what a great Nation the United States of America is, and all of the different entities that have played a part in its development. As a student of history, I say to the gentleman from Illinois (Mr. EVANS) I commend him for this legislation, I strongly support it.

Mr. EVANS. Mr. Speaker, I am here today to urge my colleagues to support H. Res. 342, a resolution which recognizes the National Railroad Hall in Galesburg, Illinois.

The development of a national railroad system from coast to coast in the United States had major impacts on our economy, national defense, and national lifestyle. As the railroad grew, it allowed an increasing ease in transporting goods and people. However, the development and expansion of the railroad could not have occurred without the hard work and ingenuity of individuals in the industry.

For that reason, a private group has gathered in Galesburg, Illinois to create a National Railroad Hall of Fame. The mission of the Hall of Fame focuses on the men and women who developed and maintained one of our nation's greatest forms of transportation. They are

building the Hall of Fame to inspire us to continue in the American tradition that built our railroad system. To show how this tradition has continued through history, inductees are selected from three eras in railroad history. The first is the Birth and Development Era, from 1800 to 1965. The second is the Golden Era, from 1866 to 1945. And the final period is the Modern Era, from 1946 to present day. The reason the founders of the Hall of Fame choose these time periods is to reflect the different stages of railroad development and the continuing growth through today into the future.

In 2002, they introduced three inductees. The people that they recognized were George Pullman, Sanford Fleming, and Louis Menk, all of who provided enormous contributions to the success of the railroad industry. George Pullman is probably the most recognized of the inductees, having invented the Pullman sleeper car and an entire village for the employees who made it. His contribution to American railroading was profound because it made traveling great distances over rail comfortable, even luxurious.

Sanford Fleming, the inductee from the Golden Era, arranged a system that each of us utilize when we travel, Standard Time. Prior to Mr. Fleming's system, train stations ran on local time. Local time was determined by the sun. Traveling on a schedule set by each station's local time became a headache for station managers and railroad passengers alike. To address this problem, Sanford Fleming divided the world map into 24 sections, thus creating the Standard Time which we all follow now.

Finally, Louis Menk was inducted from the Modern Era. Mr. Menk is an example of the American dream. Having started out as a telegraph messenger for Union Pacific Railroad, he worked his way to the top of the railroad industry to become President and CEO of Burlington lines. He doubled the size of the company and merge it with a number of other lines to stretch across the Western United States.

Placing this history in Galesburg, Illinois is appropriate to the history of the railroad as well. Galesburg has a long history with railroading. In 1849, the Peoria and Oquawka Railroad was established providing Galesburg with the opportunity to connect to a rail system. After that, Galesburg quickly became an important link between Chicago and the West. Finding a need to connect Iowa with the east coast, Galesburg worked as a community to expand the rail system from Chicago to the Mississippi River and then over into Iowa. This allowed for the extension of a rail system that eventually reached coast to coast. By 1886, Galesburg secured the Atchison, Topeka, and Santa Fe Railway and became one of the few places in the world served by two major railroads. Currently, Galesburg is still a central point in the railways for shippers moving good across the country.

Additionally, Carl Sandberg College of Galesburg, Illinois, was one of the first institutions to establish an education curriculum in railroading. Currently, the College continues this program offering a certificate program and an associates program in railroad operations. This shows how basic the tie between Galesburg and the railroad is.

In honor of this history in Galesburg and the history of the ingenuity of those that shaped

the railroad industry, a group of people got together in Galesburg, Illinois and developed the National Railroad Hall of Fame, Inc. The main purpose of the Hall of Fame is to continue the memory of the leaders, inventors, engineers, riders, teachers, and all other participants in this proud industry. However, the Hall of Fame also seeks to inspire future generations to continue this proud tradition of growth and invention. Finally, they seek to provide a home to research surrounding the railroading industry and provides an opportunity for local history students to work on the history of the railroad industry. By working with local college students to enhance the background information for recommended inductees, the Hall of Fame expands the historical information and the people that study it.

What the National Railroad Hall of Fame in Galesburg has asked for its simple recognition of its and its mission. The people who have put this project together have raised the money necessary for the building on their own. Additionally, they simply wish to continue the project of creating a deposit of history and inspiration for the work ethic that built the industry that built this country. In return, all they request is recognition.

Before I finish, I would like to thank my colleague Mr. LAHOOD for working with me to pass this resolution, and Andrea Tebbe on his staff. I also want to thank the Chairman and Ranking Member of the Transportation Committee for this quick action on this bill. I want to thank Bob Bandi of Galesburg, who has worked tirelessly on to get this organization on its feet and with my staff to pass this resolution. Also, I would like to thank Ken Johnson from the Energy and Commerce Committee for his assistance and enthusiasm for his hometown. Finally, I would like to thank Erin Doyle on my staff for her work on this bill.

Once again, I urge my colleagues to support this resolution and pay tribute to the history of the railroading industry.

Mr. LAHOOD. Mr. Speaker, I rise in support of H. Res. 342, legislation supporting the National Railroad Hall of Fame, Inc.'s endeavor to erect a monument supporting the Hall of Fame in Galesburg, Illinois. The National Railroad Hall of Fame, Inc. is a not for profit organization dedicated to preserving the legacy of the railroad industry and educating the public regarding its role in American history. Galesburg has been intricately linked with railroading since 1849, when the organization of the Peoria and Oquawka Railroads began an era of massive expansions of railroads across North America.

Too often we forget one of the most important aspects of American history—the development and expansion of our transportation system. Modern and efficient transportation links, whether by road, air, or rail, have, and will continue to be, integral to sustaining and expanding our economic development. Railroads were one of the first modes of transportation to efficiently move goods and people across North America. They have helped expand our economy and played an important role in social and cultural life during the late nineteenth and early twentieth centuries.

I applaud the National Railroad Hall of Fame, Inc. for their dedication to preserving this history and for their work to educate the public about the important contributions railroads have made to our society. I would like

to thank Congressman LANE EVANS for offering H. Res. 342, and I urge my colleagues to pass this historic legislation.

Ms. CORRINE BROWN of Florida. Mr. Speaker, I yield back the balance of my time.

Mr. PORTER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. CULBERSON). The question is on the motion offered by the gentleman from Nevada (Mr. PORTER) that the House suspend the rules and agree to the resolution, H. Res. 342.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. PORTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on House Resolution 342.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nevada?

There was no objection.

BRIAN C. HICKEY POST OFFICE BUILDING

Mr. PLATTS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2452) to designate the facility of the United States Postal Service located at 339 Hicksville Road in Bethpage, New York, as the "Brian C. Hickey Post Office Building".

The Clerk read as follows:

H.R. 2452

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. BRIAN C. HICKEY POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 339 Hicksville Road in Bethpage, New York, shall be known and designated as the "Brian C. Hickey Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the Brian C. Hickey Post Office Building.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. PLATTS) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. PLATTS).

GENERAL LEAVE

Mr. PLATTS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2452.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. PLATTS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 2452, introduced by my distinguished colleague from the State of New York (Mr. KING), designates the postal facility in Bethpage, New York, as the Brian C. Hickey Post Office Building.

Mr. Speaker, this legislation honors an extraordinary American. For more than 2 years now, people all over the world have heard stories of the uncommon courage of the New York City emergency service personnel who responded to the September 11 terrorist attacks at the World Trade Center in New York. When the first plane hit the north tower, numerous firefighters, law enforcement personnel, medical personnel and others traveled to the World Trade Center, entered the building, headed up the stairs towards the fire, and never appeared again.

Captain Brian Hickey was one of these intensely brave patriots whom we lost on that fateful day. Captain Hickey was with the Fire Department of New York for 20 years. He was the leader of Rescue Company No. 4. On the morning of September 11, 2001, Captain Hickey never hesitated as he put the lives of others ahead of his own and marched up the stairs of the south tower to fight the overpowering blaze. Just before 10 a.m. that morning, the south tower unthinkably collapsed, the first of the two towers to fall.

It is very fitting and appropriate for this House to revisit the courage, the patriotism, and the amazing compassion for fellow Americans exhibited by people like Brian Hickey on September 11, 2001. That unbelievably tragic day united all Americans in a way that no event has done in more than a generation. We will be wise to never forget what this Nation went through on that fateful day and to always remember the sacrifices of Brian Hickey. Captain Hickey made the ultimate sacrifice for our Nation and for his fellow citizens. With the passage of H.R. 2452, this Congress can immortalize Brian Hickey's courageous legacy by naming this post office after him in his hometown of Bethpage, New York.

For all of these reasons, Mr. Speaker, I urge all Members to support H.R. 2452, which honors the life and service of Captain Brian C. Hickey. I commend the gentleman from New York for his work on such a meaningful piece of legislation, and I look forward to his words regarding Captain Hickey.

Mr. Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to rise in support of H.R. 2452, the bill to designate the facility of the United States Postal Service located at 339 Hicksville Road in Bethpage, New York, as the Brian C. Hickey Post Office Building.

As a member of the House Committee on Government Reform, I am honored

to join my colleague in consideration of this legislation. Mr. Speaker, H.R. 2452 was sponsored by the gentleman from New York (Mr. KING) on June 12, 2003. This measure has met the committee cosponsorship policy and has the support of the entire New York delegation.

Mr. Speaker, Brian Hickey, a 20-year veteran of the New York City Fire Department, was fire captain of Rescue 4, an elite group based in Woodside, Queens, New York. On September 11, 2001, Brian was filling in for a Rescue 3 captain when an emergency signal was sent to the men of Rescue 3 from the Bronx to the World Trade Center minutes after a plane hit the north tower. None of the eight men in the company survived. Mr. Hickey was not formally identified until June of this year when a bone fragment was identified as belonging to him. Prior to that, the only item found 2 years ago at Ground Zero was Brian's battered New York City Fire Department helmet.

Who was Brian Hickey? Well, according to Fire Commissioner Bill Ura, a close friend and colleague, Brian was a 27-year member of the Bethpage Fire District. A lifelong resident of Bethpage, Brian served as chief officer of the Nassau County Fireman's Training Center and as an elected official of the Bethpage Volunteer Fire District.

He was noted as being a loving father, husband, and son. Brian was doing what he was trained to do on September 11, 2001, and that is respond to major fires, rescuing his firefighting colleagues and the public from harm.

Captain Hickey's death on 9-11 was especially tragic because he had just returned to duty after barely escaping death a month earlier when an explosion occurred and he was blown out of a building in Queens, New York. He survived, but three of his men died. As I understand it, Brian Hickey, after recuperating from his injuries, returned to work on Wednesday, September 5, 2001, and perished at the World Trade Center on Tuesday, September 11, 2001.

Mr. Speaker, I extend my profound sympathies to the family and friends of Captain Brian Hickey and commend my colleague for seeking to honor the life and work of a firefighter who died in the line of duty.

Brian Hickey really represented the best of what America has been and what America continues to be, that is, made up of ordinary people who are willing to do extraordinary things when situations and circumstances call for them. So I would urge swift passage of this legislation as we honor the life and the legacy now of Brian Hickey.

Mr. Speaker, I yield back the balance of my time.

Mr. PLATTS. Mr. Speaker, I yield such time as he may consume to the sponsor of this legislation, the gentleman from New York (Mr. KING).

Mr. KING of New York. Mr. Speaker, I thank the gentleman from Pennsylvania for yielding me this time. I

thank the gentleman from Illinois (Mr. DAVIS) for his very generous remarks today. I am really proud to stand in support of this legislation.

At the outset, let me commend Councilwoman Mary McCaffrey from the Oyster Bay Town Board in Nassau County, Long Island. She is the one who initiated this proposal with me and has worked tirelessly with me and also the Hickey family to bring about this day.

Mr. Speaker, on September 11, 2001, we saw the greatest rescue operation in the history of the world; 25,000 people were rescued from the Twin Towers in Lower Manhattan that day. This was brought about because of the heroic efforts of the New York City Fire Department, the police department, the rescue services, the emergency workers, all of whom answered the call, put their lives at risk, many of whom lost their lives that day to save so many of their fellow citizens, fellow Americans, and people who just happened to be in the World Trade Center that day. Because of the 343 men of the New York City Fire Department, because they were willing to put their lives on the line and die that day, 25,000 others were rescued. That is something we can never fittingly thank and show our appreciation to those who laid down their lives and thank them for what they did that day.

More than 100 people in my district were killed, many police officers, firefighters; but no one symbolized the heroism more that day than Brian Hickey. He was a member of the New York City Fire Department for more than 20 years. He was a captain. He commanded Rescue Company 4 in Queens. As was pointed out, he lost several of his colleagues several months before that in a terrible accident on Father's Day, and he was back on the job only several days before he went into the south tower, led his men into the south tower, unquestioningly, unflinchingly, went in and did what had to be done. That was really typical of Brian Hickey. He was a man who was wounded many times during his career with the fire department, but never, ever once did he back away from the challenge. Never once did he not show bravery and courage, which really does symbolize the FDNY.

It is very fitting that the post office facility in Bethpage be named in his honor, because Brian Hickey was raised in Bethpage. He met his wife, Donna, while attending high school in Bethpage. He raised his four children in Bethpage. He was a member of the Bethpage Volunteer Fire Department and was elected a member of the Board of Fire Commissioners. So he really is a man of Bethpage. And to me it is so appropriate and so fitting that when people walk past the postal facility on Hicksville Road, they see the name Brian Hickey, that it reminds them of what Brian Hickey did and also what all of the members of the FDNY did on that terrible day back on September 11.

Mr. Speaker, the attack on the World Trade Center and the attack on the Pentagon on September 11, that was really the first great battle and the first great war of the 21st century. Now we almost take it for granted that the right thing was done in responding to that. We take for granted so many of the men and women charging into the Twin Towers to rescue their fellow human beings. But the fact is, suppose they had not? Suppose there had been a sense of panic or caution, or just a moment's hesitation. Think of the signal that would have sent to the world. But instead, the signal that went out from the Twin Towers was one of indomitable courage on behalf of the American people.

So really, what Captain Brian Hickey and the other firefighters and rescue workers did that day was send a message to the world that America was going to fight back, that America was in no way going to be cowed or intimidated by what was done by this terrible attack. So as horrific as the attack was, the bravery of the men and women that went into the Twin Towers was unsurpassingly greater than that. They showed the true essence of Americanism.

Brian Hickey, those who knew him knew what a gutsy guy he was, what a courageous guy he was. He often told his wife that he would rather die in a fire tragedy than have some long illness. This is what he wanted to do, was to be there with the other firefighters entering whatever call they were given, responding whenever they had to, doing what had to be done. That is the FDNY. That was Brian Hickey. Twenty years of his life he gave to the FDNY, and then he gave his entire life to the world by surrendering that life in such a valiant cause on September 11.

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So on behalf of Donna Hickey and her four children and all of the constituents of the 3rd Congressional District, I want to thank all my colleagues who bring this to a vote today. I urge a speedy adoption. I can assure you if anyone deserves to be honored, it is Brian Hickey.

Mr. PLATTS. Mr. Speaker, I have no further speakers. I would again like to thank the gentleman from New York (Mr. KING) for his work on this bill. This honors a true American hero, Captain Brian Hickey. I strongly urge all Members to support H.R. 2452.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. CULBERSON). The question is on the motion offered by the gentleman from Pennsylvania (Mr. PLATTS) that the House suspend the rules and pass the bill, H.R. 2452.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

RECOGNIZING THE IMPORTANCE OF RALPH BUNCHE, THE FIRST AFRICAN-AMERICAN NOBEL PEACE PRIZE WINNER

Mr. PLATTS. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 71) recognizing the importance of Ralph Bunche as one of the great leaders of the United States, the first African-American Nobel Peace Prize winner, an accomplished scholar, a distinguished diplomat, and a tireless campaigner of civil rights for people throughout the world.

The Clerk read as follows:

H. CON. RES. 71

Whereas Ralph Bunche's life of achievement made him truly one of the twentieth century's foremost figures and a role model for youth;

Whereas Ralph Bunche graduated valedictorian, *summa cum laude*, and Phi Beta Kappa from the University of California at Los Angeles in 1927 with a degree in International Relations;

Whereas Ralph Bunche was the first African-American to receive a Ph.D. in Government and International Relations at Harvard University in 1934;

Whereas Ralph Bunche served as a professor and established and chaired the Political Science Department at Howard University from 1928 to 1941;

Whereas, in 1941, Ralph Bunche served as an analyst for the Office of Strategic Services;

Whereas Ralph Bunche joined the Department of State in 1944 as an advisor;

Whereas Ralph Bunche served as an advisor to the United States delegation to the 1945 San Francisco conference charged with establishing the United Nations and drafting the Charter of the nascent international organization;

Whereas Ralph Bunche was instrumental in drafting Chapters 11 and 12 of the United Nations Charter, dealing with non-self-governing territories and the International Trusteeship System, which helped African countries achieve their independence and assisted in their transition to self-governing, sovereign states;

Whereas, in 1946, Ralph Bunche was appointed Director of the Trusteeship Division of the United Nations;

Whereas, in 1948, Ralph Bunche was named acting Chief Mediator in Palestine for the United Nations, and, in 1949, successfully brokered an armistice agreement between Israel, Egypt, Jordan, Lebanon, and Syria;

Whereas Ralph Bunche was deeply committed to ending colonialism and restoring individual state sovereignty through peaceful means;

Whereas the National Association for the Advancement of Colored People awarded its highest honor, the Spingarn Medal, to Ralph Bunche in 1949;

Whereas for his many significant contributions and efforts towards achieving a peaceful resolution to seemingly intractable national and international disputes, Ralph Bunche was awarded the Nobel Peace Prize in 1950, the first African-American and the first person of color to be so honored;

Whereas Ralph Bunche was named United Nations Under Secretary General in 1955, in charge of directing peacekeeping missions in several countries;

Whereas, in 1963, Ralph Bunche was presented by President John F. Kennedy with the United States' highest civilian award, the Medal of Freedom; and

Whereas Ralph Bunche's critical contributions to the attempt to resolve the Arab-Israeli conflict and towards the de-colonization of Africa, and his commitment to and long service in the United Nations and numerous other national and international humanitarian efforts, warrant his commemoration. Now, therefore, be it:

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) recognizes and honors Ralph Bunche as a pivotal 20th century figure and fighter in the struggle for the realization and attainment of human rights on a global scale; and

(2) urges the President to take appropriate measures to encourage the celebration and remembrance of Ralph Bunche's many significant achievements.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. PLATTS) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. PLATTS).

GENERAL LEAVE

Mr. PLATTS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill under consideration.

The SPEAKER pro tempore (Mr. TERRY). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. PLATTS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am proud that this House is considering this resolution that honors a great American with whom many Americans may not be very familiar. House Concurrent Resolution 71, introduced by my distinguished colleague, the gentleman from New York (Mr. RANGEL), recognizes Ambassador Ralph Bunche, a great diplomat, scholar and human rights champion.

Mr. Speaker, one could begin nearly anywhere in discussing the resume and accomplishments of Ambassador Bunche. He earned his doctorate at Harvard University before he single-handedly established the political science department at Howard University here in Washington.

After World War II, Ambassador Bunche left Howard and became one of the most influential founders of the United Nations, helping to draft the U.N. charter. In 1948, he became mediator of the U.N. Special Committee on Palestine and played a critical role in engineering the armistice that ended the Arab-Israeli conflict in 1949. His work on negotiations earned him the honor for which he may be best known, the 1949 Nobel Peace Prize. Ambassador Bunche was the first African American to win this prestigious award. Ultimately, he became the Undersecretary General of the United Nations in 1955.

Mr. Speaker, Ambassador Bunche was an unrelenting advocate for human rights both at home and abroad; and this House justifiably recognizes his distinguished life. For this reason, I urge all members to support the adoption of House Concurrent Resolution 71.

Mr. Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to rise in support of H. Con. Res. 71, recognizing the importance of Ralph Bunche, introduced by the distinguished gentleman from New York (Mr. RANGEL).

Mr. Speaker, American diplomat and winner of the 1950 Nobel Peace Prize, Ralph Bunche was born in Detroit, Michigan, on August 7, 1904. His father, Fred Bunche, was a barber in a shop having an all-white clientele, and his mother, Olive Johnson Bunche, was an amateur musician. When Ralph Bunche was 12 years old his parents died, and he was raised by his grandmother, Ms. Nana Johnson, who had been born into slavery.

Ralph Bunche was valedictorian of his graduating class at Jefferson High School in Los Angeles where he had been a debater and well-rounded athlete. While studying at the University of California at Los Angeles, he supported himself with an athletic scholarship, which paid for his collegiate expenses, and a janitorial job, which paid for his personal expenses. With a scholarship granted by Harvard University and a fund of a \$1,000 raised by the black community of Los Angeles, Ralph Bunche began his graduate studies in political science.

In the time between earning his masters and doctorate degrees in government and international relations at Harvard University, he established a department of political science at Howard University in 1928.

During that time, he also traveled through French West Africa on a Rosenwald field fellowship, which enabled him to conduct research in Africa for a dissertation comparing French rule in Togoland and Dahomey. He completed his work with such distinction that he was awarded the Toppan Prize for outstanding research in social studies.

Between 1938 and 1940, he collaborated with Swedish sociologist Gunnar Myrdal on the monumental study of U.S. race relations published as *An American Dilemma: The Negro Problem and Modern Democracy*. The study is renowned for presenting the theory that poverty breeds poverty.

During World War II, Ralph Bunche worked for the War Department and the State Department. Toward the end of the war, he played an important role in preliminary planning for the United Nations, the organization he served for the rest of his career.

After the chief mediator between the warring factions in Palestine, Count Folke Bernadotte, was assassinated, Bunche, then an aide on a special U.N. committee to negotiate an end to the first Arab-Israeli War, was thrust into a leading role in the process. His successful negotiation of a 1949 truce between the parties earned him the Nobel Peace Prize in 1950.

In the last decade of his life, he became an increasingly vocal supporter of the civil rights movement in the United States, participating in the 1965 civil rights marches in Selma and Montgomery, Alabama.

Ralph Bunche died on December 9, 1971, in New York City, shortly after retiring as Undersecretary General of the United Nations.

H. Con. Res. 71 recognizes the importance of Ralph Bunche and the enduring legacy that he has left as a skillful negotiator and an example of what diplomacy can provide and generate when adroitly used.

Mr. Speaker, I am pleased to urge swift passage of this resolution.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I am here today to join my colleagues in recognizing and honoring Ralph Bunche as a pivotal 20th century figure and fighter in the struggle for the realization and attainment of human rights on a global scale.

Ralph Bunche is one of the great leaders of the United States, the first African-American Nobel Peace Prize winner, an accomplished scholar, a distinguished diplomat, and a tireless campaigner of civil rights for people throughout the world.

Ralph Bunche's life of achievement made him truly one of the twentieth century's foremost figures and a role model for youth of America. He graduated valedictorian, summa cum laude, and Phi Beta Kappa from the University of California at Los Angeles in 1927 with a degree in International Relations. From there he went on to be the first African-American to receive a Ph.D. in Government and International Relations at Harvard University in 1934; and he served as a professor and established and chaired the Political Science Department at Howard University from 1928 to 1941.

Ralph Bunche was instrumental in drafting Chapters 11 and 12 of the United Nations Charter, dealing with non-self-governing territories and the International Trusteeship System, which helped African countries achieve their independence and assisted in their transition to self-governing, sovereign states.

In 1948, Ralph Bunche was named acting Chief Mediator in Palestine for the United Nations, and, in 1949, successfully brokered an armistice agreement between Israel, Egypt, Jordan, Lebanon, and Syria. He was deeply committed to ending colonialism and restoring individual state sovereignty through peaceful means.

The National Association for the Advancement of Colored People awarded its highest honor, the Spingarn Medal, to Ralph Bunche in 1949. In 1950, Ralph Bunche became the first African-American to be awarded the Nobel Peace Prize, for his many significant contributions and efforts towards achieving a peaceful resolution to seemingly difficult national and international disputes.

Ralph Bunche has a scholarship in his name at Colby College in Waterville, Maine. This scholarship is for top minority students who have achieved academic excellence.

Ralph Bunche was named United Nations Under Secretary General in 1955, in charge of directing peacekeeping missions in several countries. In 1963, President John F. Kennedy presented Ralph Bunche with the Medal of Freedom, which is the United States' highest civilian award.

Ralph Bunche's critical contributions to the attempt to resolve the Arab-Israeli conflict and towards the de-colonization of Africa, and his commitment to and long service in the United Nations and numerous other national and international humanitarian efforts, warrant his commemoration. I am proud to stand on the House floor today and celebrate his accomplishments. He is truly a great American hero.

Mr. DAVIS of Illinois. Mr. Speaker, I yield back the balance of my time.

Mr. PLATTS. Mr. Speaker, I want to commend the gentleman from New York (Mr. RANGEL) for his work in introducing this measure and certainly encourage all members to support it.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. PLATTS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 71.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

SUPPORTING THE GOALS AND IDEALS OF PANCREATIC CANCER AWARENESS MONTH

Mr. PLATTS. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 262) supporting the goals and ideals of Pancreatic Cancer Awareness Month.

The Clerk read as follows:

H. RES. 262

Whereas over 30,700 people will be diagnosed with pancreatic cancer this year in the United States;

Whereas the mortality rate for pancreatic cancer is 99 percent, the highest of any cancer;

Whereas pancreatic cancer is the 4th most common cause of cancer death for men and women in the United States;

Whereas there are no early detection methods and minimal treatment options for pancreatic cancer;

Whereas when symptoms of pancreatic cancer generally present themselves, it is too late for an optimistic prognosis, and the average survival rate of those diagnosed with metastasis disease is only 3 to 6 months;

Whereas pancreatic cancer does not discriminate by age, gender, or race, and only 4 percent of patients survive beyond 5 years;

Whereas the Pancreatic Cancer Action Network (PanCAN), the only national advocacy organization for pancreatic cancer patients, facilitates awareness, patient support, professional education, and advocacy for pancreatic cancer research funding, with a view to ultimately developing a cure for pancreatic cancer; and

Whereas the Pancreatic Cancer Action Network has requested that the Congress designate November as Pancreatic Cancer Awareness Month in order to educate communities across the Nation about pancreatic cancer and the need for research funding, early detection methods, effective treatments, and prevention programs: Now, therefore, be it

Resolved, That the House of Representatives supports the goals and ideals of Pancreatic Cancer Awareness Month.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. PLATTS) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. PLATTS).

GENERAL LEAVE

Mr. PLATTS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. PLATTS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I introduced House Resolution 262 to help increase awareness about a horrible disease, pancreatic cancer. This year over 30,700 people will be diagnosed with pancreatic cancer. Because of the lack of early detection methods, 99 percent of those diagnosed will lose their lives, the highest mortality rate of any form of cancer. By the time the symptoms present themselves, it is almost always too late for a positive prognosis. Patients diagnosed have an average life expectancy of only 3 to 6 months.

It is a moral imperative for Congress to work to increase awareness about this life-threatening disease. Currently, the Pancreatic Cancer Action Network, known as Pan CAN, is the only national advocacy organization available for pancreatic cancer patients and their families and friends. This outstanding organization exists to create awareness, patient support, professional education and advocacy for pancreatic cancer funding.

It has been my pleasure to work with the Pan CAN network through a constituent of mine, Mr. Bob Hammen, in order to pass this resolution. With the passage of House Resolution 262, Congress will be adding our support to Pan CAN and their efforts to increase awareness for pancreatic cancer.

Mr. Speaker, I urge all Members to join me in supporting pancreatic cancer patients, their families and friends and Pan CAN by passing this important resolution and promoting November as Pancreatic Cancer Awareness Month.

Mr. Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, first of all, let me commend the gentleman from Pennsylvania (Mr. PLATTS) for introducing this important resolution. Cancer of the pancreas stands out as a highly lethal disease, with its victims facing the poorest of all likelihood of survival among all of those surviving major malignancies. It accounts for only 2 percent of all newly diagnosed cancers in the United States each year but 5 percent of all cancer deaths. It is the fifth leading cause of cancer-related mor-

tality in the United States, with an estimated 30,300 deaths attributed to this disease in 2002.

Most pancreatic cancers arise from the ductal cells of the pancreas. The pancreas, an organ situated deep in the abdominal cavity, serves several critical functions. It produces enzymes that are delivered to the small intestines to aid in the digestion of food, and it controls sugar levels in the body. This disease is often far advanced by the time symptoms occur and a diagnosis established. As indicated by 5-year survival rates of less than 5 percent, successful treatment is rare.

Men have a higher incidence in mortality rate of pancreatic cancer than women in each racial and ethnic group. Black men and women have incidences and mortality rates that are 50 percent higher than the rates for non-blacks or for Caucasians in this country. Rates for Hispanics and the Asian American groups are generally lower than that of whites.

Cigarette smoking has been identified consistently as an important risk factor for cancer of the pancreas. Other risk factors which have been suggested but not confirmed include coffee drinking and high fat diets.

The Pancreatic Cancer Action Network is dedicated to focusing national attention on the need to find a cure for pancreatic cancer, and I support this resolution wholeheartedly and Pan CAN's efforts to designate November as Pancreatic Cancer Awareness Month.

Again, I commend the gentleman from Pennsylvania for introducing this resolution, urge its swift adoption.

Mr. Speaker, I yield back the balance of my time.

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Mr. PLATTS. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. BOEHLERT), the distinguished chairman of the House Committee on Science.

Mr. BOEHLERT. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I rise in support of recognizing Pancreatic Cancer Awareness Month, and I want to thank the gentleman from Pennsylvania (Mr. PLATTS) for bringing forward this resolution.

The timing of this resolution is all too appropriate for those of us on the Committee on Science. Just last week we lost our long-time chief counsel, Barry Beringer, to pancreatic cancer at age 57. Barry was, among other things, a dedicated public servant, a tireless community activist, a loyal alumnus of Dickinson College, a dogged Civil War researcher, and a diehard Philadelphia Phillies fan. He was also, more importantly, a devoted husband and father; and his son, Francis, a sophomore at the College of William and Mary gave a moving eulogy for him at his funeral last week. In his eulogy, Francis captured well his father's warmheartedness, decency and humor.

Francis rightly noted that his father exemplified an ideal, which he dubbed being a "man for others."

Barry would have been embarrassed and surprised by all the richly-deserved accolades. He was truly a self-effacing man, not the most common trait on Capitol Hill. Last week's ceremony conveyed a true sense of Barry in all of his idiosyncratic uniqueness.

But there was one way in which Barry was not unique. Tragically, horribly, many share his fate every year as victims of pancreatic cancer. This is a cancer that almost always kills. We understand little about its cause, its course or its cure. We must spare no effort or expense in trying to change that, and making more Americans aware of the disease is a step toward accomplishing our goal.

In every congressional district, in every community there are too many people who have had to experience the kind of loss that we on the Committee on Science and this institution suffered last week.

Barry would not want to be remembered as a cancer victim. Indeed, he fought his disease nobly and bravely until his last days, and we will remember him always the wonderful individual he was during a special order on the floor next week. But it does no disservice to Barry to note that one of his many legacies will be that all of us will have a better understanding of the tragic consequences of pancreatic cancer. So I am pleased to see this House taking note of this horrible disease and committing itself to working to save others from what Barry suffered from and from the loss that his family, his friends and colleagues feel today.

Mr. PLATTS. Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. TERRY). The question is on the motion offered by the gentleman from Pennsylvania (Mr. PLATTS) that the House suspend the rules and agree to the resolution, H. Res. 262.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

GOVERNMENT NETWORK SECURITY ACT OF 2003

Mr. TOM DAVIS of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3159) to require Federal agencies to develop and implement plans to protect the security and privacy of government computer systems from the risks posed by peer-to-peer file sharing, as amended.

The Clerk read as follows:

H.R. 3159

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Government Network Security Act of 2003".

SEC. 2. FINDINGS.

Congress finds the following:

(1) Peer-to-peer file sharing can pose security and privacy threats to computers and networks by—

(A) exposing classified and sensitive information that are stored on computers or networks;

(B) acting as a point of entry for viruses and other malicious programs;

(C) consuming network resources, which may result in a degradation of network performance; and

(D) exposing identifying information about host computers that can be used by hackers to select potential targets.

(2) The computers and networks of the Federal Government use and store a wide variety of classified and sensitive information, including—

(A) information vital to national security, defense, law enforcement, economic markets, public health, and the environment; and

(B) personal and financial information of citizens and businesses that has been entrusted to the Federal Government.

(3) Use of peer-to-peer file sharing on government computers and networks can threaten the security and privacy of the information on those computers and networks by exposing the information to others using peer-to-peer file sharing.

(4) The House of Representatives and the Senate are using methods to protect the security and privacy of congressional computers and networks from the risks posed by peer-to-peer file sharing.

(5) Innovations in peer-to-peer technology for government applications can be pursued on intragovernmental networks that do not pose risks to network security.

(6) In light of these considerations, Federal agencies need to take prompt action to address the security and privacy risks posed by peer-to-peer file sharing.

SEC. 3. PROTECTION OF GOVERNMENT COMPUTERS FROM RISKS OF PEER-TO-PEER FILE SHARING.

(a) PLANS REQUIRED.—As part of the Federal agency responsibilities set forth in sections 3544 and 3545 of title 44, United States Code, the head of each agency shall develop and implement a plan to protect the security and privacy of computers and networks of the Federal Government from the risks posed by peer-to-peer file sharing.

(b) CONTENTS OF PLANS.—Such plans shall set forth appropriate methods, including both technological (such as the use of software and hardware) and nontechnological methods (such as employee policies and user training), to achieve the goal of protecting the security and privacy of computers and networks of the Federal Government from the risks posed by peer-to-peer file sharing.

(c) IMPLEMENTATION OF PLANS.—The head of each agency shall—

(1) develop and implement the plan required under this section as expeditiously as possible, but in no event later than six months after the date of the enactment of this Act; and

(2) review and revise the plan periodically as necessary.

(d) REVIEW OF PLANS.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General shall—

(1) review the adequacy of the agency plans required by this section; and

(2) submit to the Committee on Government Reform of the House of Representatives and the Committee on Governmental Affairs of the Senate a report on the results of the review, together with any recommendations the Comptroller General considers appropriate.

SEC. 4. DEFINITIONS.

In this Act:

(1) PEER-TO-PEER FILE SHARING.—The term "peer-to-peer file sharing" means the use of computer software, other than computer and network operating systems, that has as its primary function the capability to allow the computer on which such software is used to designate files available for transmission to another computer using such software, to transmit files directly to another such computer, and to request the transmission of files from another such computer. The term does not include the use of such software for file sharing between, among, or within Federal, State, or local government agencies.

(2) AGENCY.—The term "agency" has the meaning provided by section 3502 of title 44, United States Code.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. TOM DAVIS) and the gentleman from California (Mr. WAXMAN) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia (Mr. TOM DAVIS).

GENERAL LEAVE

Mr. TOM DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3159.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 3159, the Government Network Security Act of 2003 closes a loophole in the Federal Government's efforts to protect the security and privacy of its computers. It requires executive branch departments and agencies to take steps to protect government computers and information from the risks that are posed by the use of peer-to-peer file sharing programs. Peer-to-peer file sharing programs are Internet applications that allow users to download and directly share electronic files from users on the same network. These programs are surging in popularity with millions of people trading music, images and documents over these networks at any given time.

While most of the news coverage on file sharing focuses on the abilities of users to illegally trade copyrighted music, movies and videos, another less-publicized dark side to this technology is the risk it poses to the security of computers and the privacy of electronic information. Few people recognize these risks.

At a hearing held by the Committee on Government Reform in May, members heard from computer security experts who discussed the privacy and security risks created by these programs. And through a couple of simple searches on one file-sharing program, committee staff easily obtained completed tax returns, medical records, confidential legal documents and business files. We learned that using these programs can be similar to giving a complete stranger access to your personal file cabinet.

Consequently, file sharing programs can create a number of risks for Federal departments at agencies if they are installed on government computers. The Federal Government uses and stores a wide variety of classified and sensitive information, including information vital to national security, vital to public health and the personal and financial records of U.S. citizens and businesses. Installing these programs on government computers can cause this sensitive information to be exposed to the public. Because files are shared anonymously on peer-to-peer networks, there is also the risk of the spread of viruses worms and other malicious computer files.

Mr. Speaker, both the House and the Senate have successfully taken steps to protect congressional computers through both technical and nontechnical means including firewalls and employee training. Unlike Congress, however, executive branch departments and agencies do not have similar policies. This legislation requires agencies to develop and implement such policies to protect government information and computers. File-sharing technology is not inherently bad and it may turn out to have a variety of beneficial implications. H.R. 3159 recognizes this by protecting the ability of Federal agencies to pursue innovations of peer-to-peer technology on government networks, as long as they do not put government information or computers at risk.

This bill takes a common sense approach to protect the computers and networks of the Federal Government and the valuable information they contain. I want to commend the gentleman from California (Mr. WAXMAN), the distinguished ranking member on the Committee on Government Reform, and his staff for their work on this bill, setting up the hearing, and really calling this to our attention. I also want to recognize all the 28 members of the Committee on Government Reform who have cosponsored this legislation. This bill is an excellent follow-up to the committee's bipartisan investigations into the risk of using file sharing programs.

Mr. Speaker, I urge all Members to support H.R. 3159.

Mr. Speaker, I reserve the balance of my time.

Mr. WAXMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to ask my colleagues to support the Government Network Security Act of 2003, legislation that would protect the security of Federal Government computers from the risks posed by peer to peer sharing.

I introduced this legislation with my colleague on the Committee on Government Reform, the gentleman from Virginia (Mr. TOM DAVIS), and I want to thank him for his interest on this issue and he and his staff for all the work they have done to address the risk of peer-to-peer file sharing. This is legislation that both of us have worked closely together to develop.

In recent years, peer-to-peer file sharing programs have gone from little known to an incredibly popular Internet application. In fact, the most popular of these file-sharing programs, Kazaa, has been downloaded more than 280 million times, making it the most downloaded software program ever.

In a series of hearings earlier this year, our committee looked into these peer-to-peer file-sharing programs and the issues they raised. What we found out is that the risks they posed, particularly to our personal privacy and security, can be significant. At a Committee on Government Reform hearing in May, we heard from leading network security experts from universities and the private sector talk about how peer-to-peer file sharing can put computers at risk for viruses, worms and other damaging computer files. And the committee investigation found that without even knowing it, people are sharing incredibly personal information through these programs. Our staff investigators found completed tax returns, medical files, and even entire E-mail in boxes being shared on these networks. Government computers are not immune from these risks.

A GAO investigation, which is still underway, has found that even at Los Alamos National Laboratory, where top secret research is often conducted, file-sharing programs have been found on government computers. Protecting government computers from these security risks is essential. The Federal Government has computer records with incredibly sensitive personal information about citizens, including tax returns, military records and medical and psychiatric records. It also, obviously, has many files with important national security information.

It is important to protect government computers from computer viruses. In the last several weeks, we have seen how the spread of just two or three malicious viruses can slow the functioning of government. We need to make sure Federal Government computers and networks stay protected from these threats.

It is not difficult to safeguard Federal computers from these risks. The House of Representatives recognized the privacy and security threats posed by peer-to-peer programs nearly 2 years ago and took steps to protect against them. The Senate did the same shortly thereafter, but many of our Federal agencies have yet to follow suit. The Government Network Security Act of 2003 is simple legislation. It requires that when developing their network security policy and procedures, Federal agencies address the risks posed by peer-to-peer file-sharing programs. Plans to address these risks may include technological means, such as firewalls, and nontechnological means, such as employee training.

Technical innovation is tremendously important, including potential innovation involving peer-to-peer file-sharing technologies. This act recog-

nizes this, and it protects the ability of Federal agencies to pursue new technologies, including peer-to-peer technology. The only limitation it imposes is a requirement that agencies not jeopardize the security of sensitive government records.

When popularly available, peer-to-peer file-sharing programs can threaten us with viruses and worms and put in risk the privacy of sensitive information. I think we can all agree that they have no place on government computers and networks. That is why, Mr. Speaker, I urge my colleagues to support this legislation.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. TOM DAVIS) that the House suspend the rules and pass the bill, H.R. 3159, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

DISTRICT OF COLUMBIA MILITARY RETIREMENT EQUITY ACT OF 2003

Mr. TOM DAVIS of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3054) to amend the Policemen and Firemen's Retirement and Disability Act to permit military service previously performed by members and former members of the Metropolitan Police Department of the District of Columbia, the Fire Department of the District of Columbia, the United States Park Police, and the United States Secret Service Uniformed Division to count as creditable service for purposes of calculating retirement annuities payable to such members upon payment of a contribution by such members, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3054

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "District of Columbia Military Retirement Equity Act of 2003".

SEC. 2. PERMITTING INCLUSION OF PREVIOUS MILITARY SERVICE AS CREDITABLE SERVICE FOR CERTAIN DISTRICT OF COLUMBIA RETIREES.

Subsection (c)(8) of the Policemen and Firemen's Retirement and Disability Act (sec. 5-704(h), D.C. Official Code) is amended—

(1) by striking "(8) Notwithstanding" and inserting "(8)(A) Except as provided in subparagraph (B), notwithstanding"; and

(2) by adding at the end the following new subparagraph:

"(B)(i)(I) Except as provided in subclause (II), and subject to clause (iv), each member

or former member who has performed military service before the date of the separation on which the entitlement to any annuity under this Act is based may elect to retain credit for the service by paying (in accordance with such regulations as the Mayor shall issue) to the office by which the member is employed (or, in the case of a former member, to the appropriate benefits administrator) an amount equal to 7 percent of the amount of the basic pay paid under section 204 of title 37, United States Code, to the member for each period of military service after December 1956. The amount of such payments shall be based on such evidence of basic pay for military service as the member may provide, or, if the Mayor determines sufficient evidence has not been so provided to adequately determine basic pay for military service, such payment shall be based upon estimates of such basic pay provided to the Mayor under clause (iii). Payment of such amount by an active member must be completed prior to the member's date of retirement or October 1, 2006, whichever is later, for the member to retain credit for the service.

"(II) In any case where military service interrupts creditable service under this subsection and reemployment pursuant to chapter 43 of title 38, United States Code, occurs on or after August 1, 1990, the deposit payable under this clause may not exceed the amount that would have been deducted and withheld under this Act from basic pay during the period of creditable service if the member had not performed the period of military service.

"(ii) Any deposit made under clause (i) more than 2 years after the later of—

"(I) October 1, 2004; or

"(II) the date on which the member making the deposit first becomes a member following the period of military service for which such deposit is due, shall include interest on such amount computed and compounded annually beginning on the date of the expiration of the 2-year period. The interest rate that is applicable in computing interest in any year under this paragraph shall be equal to the interest rate that is applicable for such year under paragraph (5)(B).

"(iii) The Secretary of Defense, the Secretary of Transportation, the Secretary of Commerce, or the Secretary of Health and Human Services, as appropriate, shall furnish such information to the Mayor as the Mayor may determine to be necessary for the administration of this subsection.

"(iv) Effective with respect to any period of military service after November 10, 1996, the percentage of basic pay under section 204 of title 37, United States Code, payable under clause (i) shall be equal to the same percentage as would be applicable under subsection (d) of this section for that same period for service as a member subject to clause (i)(II)."

SEC. 3. ADJUSTMENT IN FEDERAL BENEFIT PAYMENTS TO CERTAIN POLICE AND FIRE RETIREES TO TAKE MILITARY SERVICE ADJUSTMENT INTO ACCOUNT.

(a) IN GENERAL.—Section 11012 of the National Capital Revitalization and Self-Government Improvement Act of 1997 (sec. 1-803.02, D.C. Official Code) is amended by adding at the end the following new subsection:

"(f) TREATMENT OF MILITARY SERVICE CREDIT PURCHASED BY CERTAIN POLICE AND FIRE RETIREES.—For purposes of subsection (a), in determining the amount of a Federal benefit payment made to an officer or member, the benefit payment to which the officer or member is entitled under the District Retirement Program shall include any amounts which would have been included in the ben-

efit payment under such Program if the amendments made by the District of Columbia Military Retirement Equity Act of 2003 had taken effect prior to the freeze date."

(b) CONFORMING AMENDMENT.—Section 11003(5) of such Act (sec. 1-801.02(5), D.C. Official Code) is amended by inserting "and (f)" after "section 11012(e)".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to Federal benefit payments made after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. TOM DAVIS) and the gentleman from California (Mr. WAXMAN) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia (Mr. TOM DAVIS).

GENERAL LEAVE

Mr. TOM DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3054.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 3054, the District of Columbia Military Retirement Equity Act of 2003 is bipartisan legislation that will allow current and former police officers, firefighters, U.S. Park Police officers, and United States Secret Service employees in the District of Columbia to essentially buy back military service time to avoid costly reductions in their monthly benefit payment.

□ 1330

Under the Balanced Budget Act of 1997, the Department of the Treasury and the District of Columbia share responsibility for the D.C. police officers and firefighters retirement plan.

In conjunction with the District, the Treasury Department proceeded to audit the program and discovered a mistake in which individuals were concurrently receiving credit for their post-1956 military service while being eligible for Social Security. Treasury was then forced to reduce hundreds of annuitants' monthly benefits. Through no fault of their own, hundreds of retirees find themselves in the precarious position of having to buy back the military time or have a dramatic reduction in their annuity.

This reality is clearly unfair, was unintended, and must be corrected. I believe this House has an obligation to right this wrong for the benefit of those who selflessly protect our Nation's capital city, and this legislation gives us an opportunity to do just that. The D.C. Military Retirement Equity Act provides a fair mechanism for active duty retirees and retirees to buy back their military service time while it preserves their planned monthly annuity.

This legislation parallels the Civil Service Retirement Act. Federal em-

ployees who retired under the Civil Service Retirement Act were made aware of the post-1956 law and were permitted to buy the service credit by making payments equal to 7 percent of the military basic pay for the period in question. If the employee elected to buy back the service credit, it continued to be counted after the employee became eligible for Social Security. The current and former officers covered under this bill who have served our country not once but twice deserve the same opportunity.

Mr. Speaker, I urge all Members to support H.R. 3054. I thank and congratulate my colleagues, the distinguished cosponsors of this legislation, the gentleman from Maryland (Mr. HOYER) and the gentleman from Pennsylvania (Mr. WELDON), for their efforts on this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. WAXMAN. Mr. Speaker, I yield myself such time as I may consume.

I also rise in support of this legislation, and I want to commend the gentleman from Virginia (Mr. TOM DAVIS) and the others who have brought this legislation forward. I know the important role that the gentlewoman from the District of Columbia (Ms. NORTON) played in urging us to pass this legislation. It makes sense.

This bill offers a fair remedy for retired and active duty District firefighters, District police officers, U.S. Secret Service, and U.S. Park Police that is in parity with Federal employees. There is no reason they should not have that parity.

In the late 1980s, Congress passed similar legislation offering Federal retirees enrolled in the Federal Employees Retirement System and the Civil Service Retirement System an opportunity to buy back their military time to maintain a consistent annuity once they became eligible for Social Security benefits. After the Department of the Treasury assumed financial responsibility of the D.C. Metro plan in 1997, they conducted an audit and discovered an oversight of a Federal law that prohibits any retiree with post-1956 military service from crediting that time towards their retirement once they become eligible for Social Security.

These brave men and women serve our country and our communities without question. We have a duty to meet our commitment to them, that they will be offered opportunities for a comfortable retirement. There are at least 300 retired police officers and firefighters whose annuities have already been reduced, with an average of 3 years of post-1956 military service. The D.C. police officers and firefighters retirement plans cover approximately 14,000 retirees and survivors who served as D.C. police officers, firefighters, U.S. Secret Service and Park Police. We need to treat them fairly.

That is why I would urge all my colleagues to support this bill. It is a bill that I cannot see how anybody could

oppose it. I just think it is the right thing to do; and given that fact, there is nothing more that I could say on this matter except let us as quickly as we can pass this bill to the other body and hope they send it to the President for his signature. Let no time go further and lose the opportunity to correct what is a defect in the law and that we have an opportunity to correct.

Mr. Speaker, I reserve the balance of my time.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

I thank my friend for his remarks. Let me say that even today, our police officers and firefighters in the District of Columbia, our Secret Service agents put their lives on the line and one never knows what is around the corner in a job like this. It is difficult recruiting and retaining the best and the brightest for these positions; and to some extent, they look at how we treat current retirees when they decide to sign up and for retention or to join the Department in the first place.

In this particular case, a grave mistake was made at the time of the Balanced Budget Act. It had ramifications of basically taking thousands of dollars away from people who over the last generation laid their lives on the line for the safety of the citizens who run our Nation's capital, our law makers and government institutions.

This legislation is, I think, a modest attempt to try to right that wrong, and I hope that current officers and those that are thinking of going into this understand the high regard in which this Congress holds these individuals and honors the service that they gave this city and this government during their tenure. That is what this equity act is all about. That is why it has strong bipartisan support, and that is why I urge our colleagues in the House to support this legislation today.

Mr. Speaker, I have no other speakers at this point, and I reserve the balance of my time.

Mr. WAXMAN. Mr. Speaker, I yield myself such time as I may consume.

I have no other speakers here at the present time, but I know there are Members who want to put their statements in the RECORD in support of this legislation, especially those who have played such a fundamental role in advancing this cause and bringing it to our attention.

Mr. Speaker, seeing that they will have an opportunity, I am sure, at the appropriate time, I yield back the balance of our time.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentleman from California (Mr. WAXMAN) for his leadership and again the gentleman from Maryland (Mr. HOYER), who is a cosponsor with me, the gentleman from Pennsylvania (Mr. WELDON), of course our distinguished Delegate from the District of Columbia (Ms. NORTON). We thank

all of them for helping to put this together as we hopefully pass this today, send this to the other body for what we hope will be fast consideration and a signature on the President's desk.

Mr. HOYER. Mr. Speaker, I rise today to join my colleague and good friend from Virginia, Mr. DAVIS, in supporting H.R. 3054, the DC Military Retirement Equity Act. This measure goes a long way in providing a fair solution to an unjust problem.

When I was notified that hundreds of former military service members and retired Firefighters, Police Officers, Secret Service personnel, and U.S. Park Police were having their annuities forcibly reduced due to no fault of their own, it was clear that this was an injustice in need of swift action.

The solution, H.R. 3054, will allow retired and active duty DC Firefighters and Police Officers as well as U.S. Secret Service and Park Police to buy back any military service time in order for them to maintain their monthly annuity. An oversight in the administration of their retirement plans neglected to account for a federal law prohibiting any post 1956-military service from being credited towards a retiree's benefits once that retiree becomes eligible for Social Security.

In the past few months, many retirees have had their hard earned monthly annuities reduced by up to \$600 per month. Future retirees can expect similar reductions, unless we pass this measure. Unlike options given to federal employees under FERS and CSRS, these members were never told about this provision and never offered an opportunity to buy back their time. H.R. 3054 will allow retirees to maintain their monthly annuities and will allow working men, women and their families to accurately plan for their retirement. These dedicated men and women selflessly served their country in the military and continued in their service by protecting our communities. We have a responsibility to ensure that they receive what they have rightfully earned.

I am pleased that Chairman DAVIS, Chairman WELDON, Ranking Member WAXMAN, Ranking Member DAVIS, Congresswoman NORTON and I have been able to work in a bipartisan manner to develop a positive solution to a potentially crippling injustice. I would urge my colleagues to support H.R. 3054.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I have no other speakers, and I yield back any remaining time I have.

The SPEAKER pro tempore (Mr. TERRY). The question is on the motion offered by the gentleman from Virginia (Mr. TOM DAVIS) that the House suspend the rules and pass the bill, H.R. 3054, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A bill to amend the Police-men and Firemen's Retirement and Disability Act to permit military service previously performed by members and former members of the Metropolitan Police Department of the District of Columbia, the Fire Department of the District of Columbia, the United States Park Police, and the United States Secret Service to count as creditable service for purposes of calcu-

lating retirement annuities payable to such members upon payment of a contribution by such members, and for other purposes."

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for approximately 10 minutes.

Accordingly (at 1 o'clock and 38 minutes p.m.), the House stood in recess for approximately 10 minutes.

□ 1349

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. TERRY) at 1 o'clock and 49 minutes p.m.

AUTHORIZING THE PRESIDENT TO ISSUE POSTHUMOUSLY TO THE LATE WILLIAM "BILLY" MITCHELL A COMMISSION AS MAJOR GENERAL, UNITED STATES ARMY

Mr. HUNTER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2755) to authorize the President to issue posthumously to the late William "Billy" Mitchell a commission as Major General, United States Army.

The Clerk read as follows:

H.R. 2755

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. POSTHUMOUS COMMISSION OF WILLIAM MITCHELL IN THE GRADE OF MAJOR GENERAL IN THE ARMY.

(a) AUTHORITY.—The President may issue posthumously a commission as major general, United States Army, in the name of the late William Mitchell, formerly a colonel, United States Army, who resigned his commission on February 1, 1926.

(b) DATE OF COMMISSION.—A commission issued under subsection (a) shall issue as of the date of the death of William Mitchell on February 19, 1936.

SEC. 2. PROHIBITION OF BENEFITS.

No person is entitled to receive any bonus, gratuity, pay, allowance, or other financial benefit by reason of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. HUNTER) and the gentlewoman from California (Ms. LORETTA SANCHEZ) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. HUNTER).

GENERAL LEAVE

Mr. HUNTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2755, the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HUNTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today we have the opportunity to look back on the life of one of our Nation's great air power visionaries, General William "Billy" Mitchell, a man of immense energy, leadership and foresight. Like many men who strived to change the status quo and turn great institutions to a more enlightened course, he was a man whose contributions were not rewarded during his lifetime. H.R. 2755 corrects that oversight by calling for the President to grant him a commission in the grade of Major General.

I want to, first of all, commend the gentleman from New Hampshire (Mr. BASS) for renewing my interest in this issue and providing this House with a great opportunity to honor an American hero.

From the earliest days of his military career, after enlistment at age 18 in 1898 during the Spanish-American War, Billy Mitchell stood out from the crowd. As a 32-year-old Captain in 1912, he was assigned to the Army General Staff as its youngest member. It was during this time that he began to understand the potential for air power to dominate the battlefield and, interestingly, the potential that we have seen reached so dramatically in this last campaign in the Iraqi theater.

After commanding America's war component during World War I, he returned to become the Deputy Commander of the Air Service in the grade of Brigadier General. It was from this position that he pressed his attack on the Navy and the Army for being insufficiently farsighted regarding air power. His demand to improve air power funding gained instant credibility after his bombers sank the captured German battleship *Ostfriesland* and several other warships in the summer and fall of 1921 in a very public, and for the Navy a very embarrassing, test of the capabilities of bomber aircraft.

In fact, Mr. Speaker, during that test a number of naval leaders were in an observation ship not far from these ships that Billy Mitchell's aircraft were demolishing, and there was a complaint, at least a thought, that perhaps he had directed some of the bombs be dropped not too far away from the observation ship so that the naval leadership could appreciate the full value of air power.

Billy Mitchell continued to make the case for enhanced air power even after he was removed from his position in the Air Service and exiled as a Colonel to be the Air Officer at VIII Corps in Texas. His relations with superiors soured as his rhetoric took on an accusatory tone.

After the crash of the Navy dirigible *Shenandoah* that killed 14 crew members, Billy Mitchell declared senior military leaders as incompetent and guilty of "almost treasonable administration of national defense." That was

the last straw for many in the military, the White House, and the Congress. Billy Mitchell's court-martial for insubordination followed, and he left active duty in 1926 after he was found guilty and sentenced to a loss of pay for 5 years. Even after separation, Billy Mitchell remained in the public eye and continued to be a very effective advocate for air power.

Mr. Speaker, it is an unfortunate reality that the truly visionary people that herald important changes are often outcasts in the system they are trying to change. Our Nation is indeed fortunate that we had a man of Billy Mitchell's courage and leadership working for air power.

Without Billy Mitchell, the combat victories we savor today, that have relied so heavily on air power, may never have happened. It was Billy Mitchell who jump-started an awareness of the importance of the strategic bombing mission that has proven so pivotal in each of America's wars in the 20th century and now in this war on terrorism, the first war of the 21st century.

Mr. Speaker, the least that we must do is honor this great man with the promotion he was denied while serving his country. Again, I want to thank the gentleman from New Hampshire (Mr. BASS) for the opportunity to honor Billy Mitchell.

Mr. Speaker, I reviewed Billy Mitchell's writings that he published and gave to all the leadership in the administration in the early 1920s, after he had toured what he considered to be the world's problem areas, where this great man of vision attempted to project and analyze where America's next threat would come from. More than a decade before Pearl Harbor, Billy Mitchell predicted that at some point that American strategic strong point would be struck by a low-level early morning Japanese air attack.

Interestingly, this gentleman of vision not only published his theories but he went out and spent a great deal of time backing them up with observations and putting in lots of time, and he made America aware of the importance of air power. He let us know that we were in the age of air power and that if we did not dominate in air power we would be dominated.

I have always thought we need a Billy Mitchell in this age, in this age of missiles, and that if we do not build an adequate defense against missiles, at some point we will see an enemy missile striking the American mainland and striking our troops in theater.

He was a visionary, Mr. Speaker, a guy who ruffled a lot of feathers, made a lot of people angry, and in the end demolished his own career. Yet he left as a legacy an understanding of the importance of a factor which has been of such major importance of each of the wars in this last century and this first war of this new century and that is the importance of air power. So I would urge adoption of H.R. 2755.

Mr. Speaker, I reserve the balance of my time.

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I reserve the balance of my time.

Mr. HUNTER. Mr. Speaker, I yield 5 minutes to the gentleman from New Hampshire (Mr. BASS).

Mr. BASS. Mr. Speaker, I thank the gentleman, the chairman of the Committee on Armed Services, for yielding me this time, and I greatly appreciate his accommodation of this piece of legislation, which is, interestingly enough, identical word for word to a similar bill that was introduced on July 16, 1957, by my father when he was serving in the same capacity I am serving in today.

The reason for that is that Billy Mitchell was my mother's uncle. As a young child, I grew up in a household where his name came up often, and he was used as an example of the benefits and actions that could occur if you were courageous and you took chances for the good of your country. Clearly, Billy Mitchell was one of these individuals.

He was a very small, rather diminutive fellow, about five-one or five-two. He always dressed to the nines, with all of his uniforms, and he carried a swagger stick. What he did not have in stature, he made up for in his presentation. And my mother was much the same way, very small but carried a pretty heavy stick.

Billy Mitchell really brought to this country or to the military in this country not only the concept of air power and its importance and significance, which he battled for tirelessly, but he also brought to the fledgling air corps at that time the idea that pilots were going to be brave and courageous and take enormous chances and that they were going to be proud of it. He would show up to fly in uniforms that he created himself, which were a combination of a military uniform and outfits for riding horses, with high boots and so forth, and some of this stuff still exists today in the Air Force. The right stuff, the whole concept of an Air Force pilot, an ace, being brave and courageous and going right to the limit came from Billy Mitchell.

He did, indeed, live three lives in the course of the 56 years he was alive, and he stepped on a lot of toes. He had tremendous courage. He had tremendous initiative. He understood where the military was going in this country, but he lacked tact. There was no question about that. He had the ability to say the wrong things to the wrong people at the wrong time on occasion, including the President of the United States, Calvin Coolidge, and a lot of other higher-ups in the military. The result was that, because of his outspokenness about where he thought America air power should be, he was court-martialed.

The chairman has brought to our attention the fact that a good 15 years before Pearl Harbor occurred he predicted almost to the day and the hour when the Japanese would attack. Nobody listened to him. And there is no

better example of that than, if I can quote from the "Billy Mitchell Affair," and this is Franklin Delano Roosevelt as President in 1944, FDR says, "If back in 1940 I had said to the Chiefs of Staff of the Army or the Navy, 'Our next war is going to be in the Aleutians and down in the Southwest Pacific,' they would have all laughed at me. They are the experts at that sort of thing. I am not an expert, said the President. I am just an ordinary American. We can see now that Americans were caught unprepared because we ordinary human beings followed the best advice we had at the time."

□ 1400

It was as if Billy Mitchell had never existed. The reality was he was a visionary in the military, and we have such visionaries today as well. I hope as policymakers here in Congress, we allow these individuals to have the ability to speak their mind and to lead our country, not follow. That is why I am here today supporting the bill that will restore General Billy Mitchell to the rank of major general, a bill that was not supported by the military back in 1957; but thanks to the leadership of the gentleman from California (Chairman HUNTER) we have this bill before us. I urge Congress to pass it and send it to the Senate.

Mr. HUNTER. Mr. Speaker, I yield 4 minutes to the gentleman from Florida (Mr. STEARNS).

Mr. STEARNS. Mr. Speaker, I thank the gentleman from California (Chairman HUNTER) and the gentleman from New Hampshire (Mr. BASS) for what they are doing here. It is a long time in coming. I do not quite understand why it took this long. I and the gentleman from Texas (Mr. SAM JOHNSON) started the Air Force Caucus here in Congress. It involves both Senate and House Members; and it has been very successful in its advocating air power, what Billy Mitchell was talking about in the very beginning.

When we look at his career and what he did, we can understand the flak that he would run into. We can understand the sort of moral courage that he had to go up against, the infrastructure of the existing services, and try to point out that this new bombing method would not only take out ships, but would have a huge ramification in future wars.

I would say if Billy Mitchell was alive today, he would advocate Star Wars. I think the same kind of logic he thought for air power, he would say we can someday have the ability to stop ballistic missiles from getting out of their sights and causing damage through Star Wars. I bring that in tangentially just because Billy Mitchell had that kind of moral courage to say what he felt.

Today, we are recognizing his superior nature to advocate something that nobody else saw on the horizon. We have had others advocate air power before; but none as specifically and dra-

matically, and putting himself and his career and his reputation into jeopardy. I am very pleased to be on the floor here to advocate and support this bill and to also point out to my colleagues that sometimes all of us will hear about a new technology and new ways of advocating things to help the United States, and we should keep an open mind because, who knows, maybe another Billy Mitchell is advocating the right thing for this country.

Mr. HUNTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, no Americans were killed by enemy air power in this last conflict in the Iraqi theater nor in the Afghanistan theater, nor in several theaters before that because the United States totally dominated the air. I think it is fair to say that every time every F-18 driver, every F-14 driver, every A-10, and everyone else who flies an aircraft, whether it is an attack bird or recon bird or a transport or a bomber aircraft, carries with them a little bit of the legacy of General Billy Mitchell. A lot of folks make decisions in the Pentagon and take positions for which they are never rewarded. I think it is fitting and proper that we are making this decision even at this late date to recognize this great American.

Mr. Speaker, I reserve the balance of my time.

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentleman from California (Chairman HUNTER) for bringing this bill to the floor, and I rise in support of the bill offered by the gentleman from New Hampshire, H.R. 2755, which would authorize the President to posthumously promote the late William "Billy" Mitchell, United States Army, to the rank of major general.

General Billy Mitchell was often called the Nation's air power visionary. He was an outspoken advocate of the importance of strategic air power and its vital role in our Nation's military strategy. Many consider him to be the father of today's United States Air Force.

He was born in 1879 to Wisconsin Senator Colonel John Lendrum and his wife, Harriet Becker, in Nice, France. And he left college before graduating to enlist in the First Wisconsin Infantry for the Spanish-American War. He rose rapidly through the ranks and received a field commission in the Signal Corps, and in 1912 he became the youngest member of the General Staff. It was there that he became interested in aviation, which was at the time assigned to the Signal Corps.

Although Billy Mitchell was 38 years old when he learned to fly by taking private flying lessons, he accomplished much during World War I. For example, he was the first American airman to fly over enemy lines. He was the first American officer under enemy fire, and he was awarded the French Croix de Guerre with Palm, the French Legion of Honor, and commanded the largest

aerial armada in history. He commanded all American combat units in France and was elevated to the rank of brigadier general.

By the early 1920s, General Mitchell began to advocate the creation of the Air Force to be independent of the Army. This was essential, he said, because aircraft would one day cripple the Navy and render battleships obsolete. When his colleagues dismissed this concept, he proved his point at Chesapeake Bay in 1921 by test-bombing and sinking several captured battleships.

In 1925, General Mitchell's relationships with his superiors deteriorated even further, and he was reduced in rank to colonel. It was the tragic crash of the *Shenandoah*, a Navy gas-filled air ship which killed 14 Navy crewmembers, which led General Mitchell to issue his famous statement. General Mitchell accused senior leaders in the Army and Navy of incompetence and, as the gentleman from California (Mr. HUNTER) said, "almost treasonable administration of the national defense."

Mitchell was court-martialed, found guilty of insubordination and suspended from active duty without pay for 5 years. Instead, General Mitchell elected to resign, and he retired to a farm near Middleburg, Virginia. But from his retirement, he continued to promote air power and its importance and warned of the dangers posed by other nations, particularly Japan. Nearly 20 years before the Japanese attack on Pearl Harbor, General Mitchell expressed concerns of a possible attack by foreign aircraft against the Philippines and against the Hawaiian Islands. However, he would not live to see his predictions come true in 1941.

Tragically, Billy Mitchell died in New York City on February 19, 1936. It was not until after his untimely death that the Army-Air Force in World War II adopted his ideas and plans. Ten years after his death, Congress awarded Billy Mitchell the Congressional Medal of Honor. Twenty years later, many Americans would learn more about the life of General Mitchell in the 1956 film "The Court-Martial of Billy Mitchell."

Decades later, General Mitchell's thoughts and principles on air power continue to guide us all in the air strategy of the United States Air Force, and so it is fitting that we recognize the enormous achievements of General William Mitchell and promote him to major general.

Mr. Speaker, I urge all my colleagues to support this bill and to provide General Mitchell with the recognition that he deserves.

Mr. Speaker, I yield back the balance of my time.

Mr. HUNTER. Mr. Speaker, I thank the gentleman from New Hampshire (Mr. BASS) for moving this important legislation recognizing a great American, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the motion offered by the gentleman from

California (Mr. HUNTER) that the House suspend the rules and pass the bill, H.R. 2755.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

PERMANENT AUTHORITY FOR EXEMPTION FOR CERTAIN MEMBERS OF THE ARMED FORCES FROM PAYING SUBSISTENCE CHARGES WHILE HOSPITALIZED

Mr. MCHUGH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2998) to amend title 10, United States Code, to exempt certain members of the Armed Forces from the requirement to pay subsistence charges while hospitalized, as amended.

The Clerk read as follows:

H.R. 2998

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PERMANENT AUTHORITY FOR EXEMPTION FOR CERTAIN MEMBERS OF THE UNIFORMED SERVICES FROM REQUIREMENT TO PAY SUBSISTENCE CHARGES WHILE HOSPITALIZED.

Subsection (c) of section 1075 of title 10, United States Code (as added by section 8146(a)(2) of the Department of Defense Appropriations Act, 2004 (Public Law 108-87)), is repealed.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. MCHUGH) and the gentleman from Arkansas (Mr. SNYDER) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. MCHUGH).

GENERAL LEAVE

Mr. MCHUGH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2998, the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MCHUGH. Mr. Speaker, I yield myself such time as I may consume.

(Mr. MCHUGH asked and was given permission to revise and extend his remarks.)

Mr. MCHUGH. Mr. Speaker, we are here today through the attention, diligence, and concern of a single individual, the gentleman from Florida (Mr. YOUNG). The very effective and very dedicated chairman of the Committee on Appropriations has brought this, I think, very not just unnecessary but distasteful provision in our laws to our attention, and we are here today under the gentleman's leadership to reverse that.

This is a great example of what we do not know can hurt us, a provision that I do not believe that many Members were aware even existed; but again through the gentleman's attention and

devotion, we are about to resolve and correct it.

Mr. Speaker, I rise in strong support of H.R. 2998, a bill introduced by the Chairman of the Appropriations Committee, Mr. YOUNG, to exempt service members receiving medical treatment in military hospitals for combat wounds from being charged for the cost of their meals while hospitalized.

I would like to commend the gentleman from Florida for bringing this bill to the attention of the House. I think it is important that my colleagues understand the personal side of this story because it is so characteristic of Chairman YOUNG.

The need for this legislation became apparent to the Chairman during a visit that he and his lovely wife Beverly made to Walter Reed Army Medical Center and Bethesda Naval Hospital to provide comfort and support to the personnel wounded in Iraq and Afghanistan, and their families. While visiting with one of the wounded, he was made aware of a legal requirement for hospitalized service members to repay their basic allowance for subsistence to compensate the government for the meals they received.

What Chairman YOUNG immediately recognized was that the authors of the law requiring this payment did not contemplate that service members wounded in combat would be subjected to the same requirement right along with the member who had received routine treatment. He understood that America would not want its combat wounded to be confronted with a food bill when they departed the hospital.

It is the Chairman's nature to look after the welfare of our fighting men and women and to correct injustice when he encounters it. In looking out for the troops, he was also looking out for each member of this House. He knew that the right thing to do was to ensure that those wounded in combat or combat-like activities must not be bothered with a bill for their meals. For that, all the members of the House owe the Chairman a debt of gratitude.

The Chairman first took out his check book and personally paid the bill for the service member who had brought this issue to his attention. He then took action to include a provision in the Defense Appropriations Bill for Fiscal Year 2004 to ensure that an immediate fix was put into place. I am proud to say that today we will follow Chairman YOUNG's leadership and make that temporary fix a permanent change to the law.

Again, I commend Chairman YOUNG for this bill and thank him for his diligence in protecting the interests of our service members.

I urge my colleagues to vote yes on H.R. 2998.

Mr. Speaker, I yield 5 minutes to the gentleman from Florida (Mr. YOUNG), the author and the motivator behind this very worthy piece of legislation.

(Mr. YOUNG of Florida asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Florida. Mr. Speaker, I thank the gentleman for yielding me this time, and I appreciate the gentleman for bringing this very important bill to the floor, especially under suspension of the rules.

The gentleman from New York (Mr. MCHUGH) is a very dedicated supporter of our military and is an important

member of the Committee on Armed Services. And as chairman of the subcommittee, he does an important job. I know of no one who is more committed to the members of our military than the gentleman from New York (Mr. MCHUGH) and the gentleman from California (Chairman HUNTER).

What we are talking about today has to do with soldiers wounded on the battlefield in a military hospital recovering from those wounds who are charged \$8.10 a day for the food they consume while they are in the hospital recovering from wounds received on the battlefield. When I learned about that, I have to tell Members, I could not believe it. So I did a little research, and my research told me this is true. This is the case; this is in the law.

I spoke to the administrators and commanders of the military hospitals at Walter Reed Army Hospital, at the National Naval Medical Center at Bethesda, at the Hospital at Landstuhl, Germany, and they all said, yes, we have to do this, it is in the law, but it is more trouble than it is worth. They said they are actually embarrassed when they have to hand a soldier, when he left their hospital a bill for the food that he or she consumed while in that hospital recovering from wounds received on the battlefield. That is not right. That is outrageous.

So I introduced H.R. 2998 to repeal that law. Actually, while we were moving the defense appropriations bill, I was able to include that bill in the defense appropriations bill which was signed into law on September 30.

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So immediately the problem was fixed but was only fixed for a year because appropriations bills only last for a year. So I asked the gentleman from California (Chairman HUNTER) and the gentleman from New York (Chairman MCHUGH) if they would report this bill to the floor so that we could have a vote on it. I asked for a vote because so many of our colleagues, when they learned of this, were just as outraged as I was, and they asked that we have a vote. So we will ask for a vote on this bill because so many of our Members want to vote for this bill. Nearly 300 of our colleagues, Mr. Speaker, have cosponsored this legislation.

This is something that really needs to be fixed. It was fixed for 1 year, but this fix makes it permanent. This repealed the law permanently, and we will not be embarrassed again by handing a soldier who is leaving in a wheelchair with both legs amputated or an arm amputated or vision totally destroyed or handicapped for life and we are not going to insult them by asking them to pay \$8.10 a day for the food that they consumed while in that military hospital.

I thank the gentleman very much for bringing this very important bill to the floor.

Mr. Speaker, I rise in strong support of H.R. 2998, legislation I introduced to permanently

repeal an outrageous law that requires our combat wounded military to pay for their food while hospitalized recovering from their wounds.

I want to thank my friend and colleague, the Chairman of the House Armed Services Committee, Mr. HUNTER, and the Chairman of the Total Force Subcommittee, Mr. MCHUGH, and all the members of the Committee for their support of my legislation and their willingness to expedite its consideration by the House. There are no greater friends to our troops in the field than Chairmen HUNTER and McHugh and the members of their Committees.

This is a law that has been on the books since 1958 for hospitalized officers and since 1981 for enlisted personnel. I only learned about it late this summer from my wife Beverly, who spends considerable time visiting with injured soldiers, sailors, Marines, airmen, and Coast Guardsmen at the Walter Reed Army Medical Center and the National Naval Medical Center in Bethesda. A family member of a Marine reservist who had to have a part of his foot amputated brought it to her attention.

This law is a serious affront to those injured in battle. Upon being discharged from the hospital, our enlisted personnel and officers are actually served with a bill to pay for their "subsistence" while in the hospital. The current daily rate for these charges is \$8.10. For those who pass through more than one hospital on their way to recovery, they are served with multiple bills.

We learned about this from our visits with Staff Sergeant William L. Murwin, who spent 26 days in the hospital recovering from injuries incurred in Iraq. Sergeant Murwin is a reservist in the Marine Corps who was injured when a 10-year-old Iraqi dropped a grenade in the HUMVEE he was driving. As a result of the explosion, Sergeant Murwin is a partial amputee, having lost a large part of his foot.

Upon his discharge July 18th to return home to Nevada and his job as a sheriff's deputy, Sergeant Murwin was handed a bill from the hospital for \$210.60 to pay for his food and subsistence. Beverly and I paid this bill for Sergeant Murwin because we consider it an injustice to ask those who have served us so courageously in Afghanistan and Iraq to pay for their food while hospitalized.

Legislation I introduced on September 4th, and which is cosponsored by 256 of my colleagues, amends current law to prohibit service members injured in combat or training from being billed for the food while hospitalized. It has been endorsed by a wide range of veterans service organizations including The Air Force Sergeants Association, AMVETS, the Association of the United States Army, The Enlisted Association of the National Guard, The Fleet Reserve Association, The Military Officers Association of America, The Military Order of the Purple Heart, The Naval Reserve Association, and The Reserve Officers Association of the United States, among others.

Upon learning about these hospital charges, I researched the issue and found that Congress initiated the system of charging for subsistence costs for officers who were hospitalized in 1958 under Public Law 85-861. The 97th Congress amended this law in 1981 with Public Law 97-22 to include enlisted service members. Although I can find no one who claims responsibility for this legislation, I have found in the five weeks since introducing my

legislation overwhelming support for its immediate repeal.

To end this injustice to our injured troops, I included my legislation in the conference report on the Fiscal Year 2004 Defense Appropriations Bill, which the House and Senate approved last month and President Bush signed into law on September 30th. Being that it was included in an appropriations bill, that provision only extends through Fiscal Year 2004. The legislation we consider today will make the repeal permanent.

Mr. Speaker, this is a long overdue correction to our statutes. No one wants to see these men and women have to write a check for their hospital stay, least of all the staff of our Nation's military hospitals. I have personally talked with the senior staff at our major military hospitals both here and in Germany and they all support this legislation and say that not only is the collection of these checks an insult to our troops but it is more of an administrative burden than it is worth.

We all agree that we should be honoring and thanking those in uniform for their service to the cause of peace and freedom, not billing them for their food. And we should be doing all we can to help them recover from their injuries, not ask them to write a check to the U.S. Government upon their discharge from the hospital to begin their period of convalescence.

It is my hope that my colleagues in the House will join in supporting this legislation today as a fitting tribute to all those who serve so valiantly and unfortunately have returned home injured, missing limbs, and in many cases being permanently disabled. It is the least we can do for our Nation's keepers of peace and defenders of freedom.

Mr. SNYDER. Mr. Speaker, I reserve the balance of my time.

Mr. MCHUGH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the ranking member of the Total Force Subcommittee, who is always a gentleman and very cooperative.

I have a prepared statement that I will enter in its entirety into the RECORD, but I wanted everyone for the record to know and to reflect on the reality, and the gentleman from Florida (Mr. YOUNG) is far too modest and far too much of a gentleman to point it out. He said it came to his attention. It did come to his attention.

What he did not mention, and I am not surprised that he did not mention, is that this gentleman, I think in part because he is a Member of Congress but I know mostly because he is such a deep, concerned and caring individual, in tandem with his lovely wife, Beverly, who is also deeply concerned and has headed up a program that is concerned about our veterans and about our men and women in uniform, have for years now paid visits to those brave men and women who have been wounded in service to this country. In fact, I learned about some of the wounded from the 10th Mountain Division, a division that I proudly represent from northern New York, who were in treatment at Walter Reed from the gentleman from Florida's (Chairman YOUNG) visitation there.

For years he and his wife have quietly gone there, giving aid and comfort to individuals just to let them know that others care. And how it came to his attention is that, number one, in visiting with one of these young heroes, he heard about their being wounded and then heard about the bill that this young hero was presented with.

What he also did not happen to mention either was the fact that the gentleman from Florida (Mr. YOUNG) was so offended and outraged, as well he might have been, that he and his wife wrote a check out of their personal funds for several hundred dollars to pay for that young man's bill for the food that he received while he was trying to recover from what was a partial amputation from his battlefield wounds.

This is a reflection of this man, who all of us have the honor and opportunity to serve with him understand so clearly is a caring, concerned individual and the kind of individual, as his partner is as well, Beverly, whom we are proud to call a colleague and honored and deeply appreciative of the fact that we can call him friend.

So this was not just something that came in a letter. It was not just something on a chance visit that he happened to hear about. This was a continuing pilgrimage by the gentleman from Florida (Mr. YOUNG) and his wife, Beverly, to visit our wounded as they have done repeatedly year in and year out, not for pride or glory, not to put out press releases, but because they care. I think it is important for the record to show that, what an honorable man this individual is and how he and his wife brought this incredibly wrong provision to our attention.

I again thank the gentleman from Arkansas for that opportunity for me to say at this moment those comments in respect and admiration of the sponsor of this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. SNYDER. Mr. Speaker, I yield myself such time as I may consume.

I, too, salute the gentleman from Florida (Chairman YOUNG) for his work on this bill.

I was recently, several weeks ago, out at Bethesda Hospital visiting some of our wounded there but also some young Marines who got malaria while they were in Sierra Leone. I worked in Sierra Leone in the past myself as a doctor years ago and have an interest in malaria. I ran into the gentleman from Florida's (Chairman YOUNG) wife out there during her good work in the halls of Bethesda Hospital, so I know he and she are both very much in touch with our men and women in the military who end up in the hospital.

I think the point has been well made that what may look good on paper in terms of accounting, that if we have military people getting a subsistent amount of money each month to help cover room and board and if they are in a place where they are getting free

room and board, then let us do a deduction because they are getting that free room and board for that time where they are in a government facility. It makes no sense, though, in terms of public policy, when that facility is a hospital; and we all know that when we have someone in a hospital. We all know that when we have someone in a hospital, the family incurs additional expenses from phone calls and travel and transportation and running to the pharmacy to pick up shampoo that they forgot and all those kinds of things; and for these folks in the future that we are going to prevent this from happening to, they do not need that kind of hassle.

So I applaud the gentleman from Florida (Chairman YOUNG) for bringing this bill forward today.

Mr. Speaker, I yield 2 minutes to the gentleman from Kansas (Mr. MOORE).

Mr. MOORE. Mr. Speaker, I thank the gentleman from Arkansas (Mr. SNYDER) for yielding me this time.

I rise today also to express my deepest gratitude to our military personnel, but I am frustrated by the way our government and our country treats our military personnel, as was pointed out by the gentleman from Florida (Chairman YOUNG) and the extraordinary work that he and his wife have done, and I want to thank him and commend him for the great bill that he has here on the House floor.

No factory worker or teacher is required to pay for any part of the recovery should they be injured on the job. However, if a serviceman is injured while defending our country in combat, in service to our country, they are forced to pay a part of their hospital stay, as reflected in the gentleman from Florida's (Chairman YOUNG) bill, and this should be corrected immediately. I am glad to see broad bipartisan support for this legislation, and I hope that our House passes this as quickly as possible.

I also want to bring one more, I think, concern to the attention of the people and our Congress, and that is what I introduced, House Resolution 387, a bipartisan House resolution to support our military personnel by covering their travel costs to return our troops home to their families and loved ones. People who have been in Afghanistan and Iraq and who have 2 weeks R&R, rest and recuperation, to visit with their families and loved ones are brought to the ports, to the borders of our country, and then from there, Mr. Speaker, they are forced, if they want to go on home, to pay their own way. I think this should be corrected, and we have 98 co-sponsors on this House resolution which would aim to correct this.

Our current policy leaves troops stranded or forced to pay their way for connecting flights, and I think we can and should correct this. Our government should pay all travel and transportation costs, and we should honor our troops who defend and protect us by seeing this is done.

Mr. SNYDER. Mr. Speaker, I reserve the balance of my time.

Mr. MCHUGH. Mr. Speaker, I yield 3 minutes to a gentleman from the great State of Nevada (Mr. PORTER), who has the opportunity to represent the hero that I mentioned that the gentleman from Florida (Chairman YOUNG) and his wife encountered, a brave young man now struggling with his recovery.

Mr. PORTER. Mr. Speaker, I thank the gentleman from New York for yielding me this time, and I thank the gentleman from Florida (Mr. YOUNG) for introducing this legislation.

Staff Sergeant Murwin, whose plight inspired the gentleman from Florida (Chairman YOUNG) to introduce this bill, is a fellow Nevanadan and wounded combat veteran. His courage in serving his country and looking out for the interests of his fellow combat wounded veterans is commendable. I must say it is absolutely shameful that Sergeant Murwin and soldiers like him were forced to pay for the privilege of trying to recover while their lives were in turmoil or in a hospital.

A few months ago, I joined with other Members of Congress as we visited Walter Reed Army Hospital and Bethesda Naval Hospital and had a chance to see firsthand the honor, the pride, and the pain of our fellow men and women in uniform. These men and women had limbs missing. One gentleman was run over by a tank. But, also, one young man had a flag attached to his lapel, a tattered small American flag that he wore to remember his fellow soldiers that were still at war.

Mr. Speaker, these men and women have given enough in the name of freedom and democracy. It is shameful that they were forced to pay on top of all that they had given of their lives. I am glad today that we have righted something that was very, very wrong.

Mr. SNYDER. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin (Mr. KLECZKA).

Mr. KLECZKA. Mr. Speaker, I also rise in strong support of the legislation. To charge these veterans for meals I think is quite absurd; and I want to congratulate the gentleman from Florida (Mr. YOUNG), the chairman of the Committee on Appropriations for bringing this product forward. But I have to point out to my colleagues that we are not finishing the job today with this bill, and I would hope the chairman would help us in bringing to the floor before we adjourn another piece of legislation to correct an inequity. That is, when we bring our Iraqi veterans home for leave, we dump them in Baltimore.

I was flying out of National Airport about a week ago, and two veterans were there waiting for a plane. So I went to talk to them, and one was a regular Army personnel and the other was an Air Guard personnel, and I questioned them. I said, "Are you flying home on leave?"

They said, "Yes."

I said, "Did they fly you into National and you are taking your connection flight?"

They said, "No, we took a bus up from Baltimore so, on our own dime, we could fly home for a short period of time to be reunited with the families."

I think if we have billions of dollars to rebuild Iraq, to provide for zip codes there and garbage trucks and uniforms for their army, I think we can have the American taxpayers send these young men and women back home to the loving arms of their families in their hometowns, not in Baltimore.

So, hopefully, we can have that product come before us before we adjourn and make sure these folks are flown right home so they can spend their time with their families and not waiting for buses and other airplanes on their own dime.

Mr. SNYDER. Mr. Speaker, I yield myself such time as I may consume.

I once again want to thank the gentleman from Florida (Chairman YOUNG) and the gentleman from New York (Mr. MCHUGH) for their work on this bill. I look forward to seeing this become a permanent portion of the law and deal with this problem once and for all.

Mr. Speaker, I yield back the balance of my time.

Mr. MCHUGH. Mr. Speaker, I yield myself such time as I may consume.

Once again, let me thank the gentleman from Arkansas (Mr. SNYDER), my partner on the Total Force Subcommittee, for his leadership and assistance but most of all again the gentleman from Florida (Chairman YOUNG) for his leadership, his insight, and his continuing concern.

This is something that we need to fix; and, fortunately, because of the efforts of the gentleman from Florida (Chairman YOUNG), we have the opportunity to do it today. I certainly urge all of our colleagues to join us in supporting this very worthy measure.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the motion offered by the gentleman from New York (Mr. MCHUGH) that the House suspend the rules and pass the bill, H.R. 2998, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. MCHUGH. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

PROVIDING FOR EXPANSION OF SLEEPING BEAR DUNES NATIONAL LAKESHORE

Mr. CANNON. Mr. Speaker, I move to suspend the rules and pass the bill

(H.R. 408) to provide for expansion of Sleeping Bear Dunes National Lakeshore, as amended.

The Clerk read as follows:

H.R. 408

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXPANSION OF SLEEPING BEAR DUNES NATIONAL LAKESHORE.

(a) *IN GENERAL.*—When title to the land described in subsection (b) has vested in the United States in fee simple, the boundary of Sleeping Bear Dunes National Lakeshore is revised to include such land in that park.

(b) *LAND DESCRIBED.*—The land referred to in subsection (a) consists of approximately 104.45 acres of unimproved lands generally depicted on National Park Service map number 634/80078, entitled "Bayberry Mills, Inc. Crystal River, MI Proposed Expansion Unit to Sleeping Bear Dunes National Lakeshore". The Secretary of the Interior shall keep such map on file and available for public inspection in the appropriate offices of the National Park Service.

(c) *PURCHASE OF LANDS AUTHORIZED.*—The Secretary of the Interior may acquire the land described in subsection (b), only by purchase from a willing seller.

(d) *LIMITATION ON ACQUISITION BY EXCHANGE OR CONVEYANCE.*—The Secretary of the Interior may not acquire any of the land described in subsection (b) through any exchange or conveyance of lands that are within the boundary of the Sleeping Bear Dunes National Lakeshore as of the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. CANNON) and the gentleman from Washington (Mr. INSLEE) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. CANNON).

□ 1430

Mr. CANNON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 408 introduced by the gentleman from Michigan (Mr. CAMP) of Michigan and amended by the Subcommittee on National Parks, Recreation and Public Lands, would authorize the Secretary of the Interior to expand the boundaries of the Sleeping Bear Dunes National Lakeshore by acquiring from a willing seller approximately 104.5 acres of land adjacent to the Lakeshore along the Crystal River.

H.R. 408, as amended, is supported by the majority and minority of the subcommittee. I urge my colleagues to support the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. INSLEE. Mr. Speaker, I yield myself such time as I may consume.

Sleeping Bear Dunes National Lakeshore includes 64 miles of shoreline along the northeastern edge of Lake Michigan. I want to commend the gentleman from Michigan (Mr. CAMP) and the gentleman from Michigan (Mr. STUPAK) for their great work bringing before us H.R. 408, working on this preservation, to acquire 100 acres for eventual addition to the Sleeping Bear Dunes.

I look forward to the passage of this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. CANNON. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan (Mr. CAMP), the sponsor of this legislation.

(Mr. CAMP asked and was given permission to revise and extend his remarks.)

Mr. CAMP. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I rise today in support of H.R. 408, a bill to provide for the expansion of Sleeping Bear Dunes National Lakeshore, located in Empire, Michigan, and along the coast of Michigan. I introduced this bill in January with my colleague the gentleman from Michigan (Mr. STUPAK). This legislation represents a culmination of years of debate on the issue of whether or how to include certain acreage into the Park Service system.

H.R. 408 would authorize the National Park Service to purchase approximately 104 acres of property now owned by a private resort community and include it within the boundaries of Sleeping Bear Dunes National Lakeshore.

In the mid-eighties, The Homestead, a resort community located in Glen Arbor, Michigan, purchased property that included frontage on the Crystal River. The U.S. Fish and Wildlife Service described the property as "globally rare." Since the purchase of the Crystal River property, the owners of The Homestead have sought to build a golf course and over 30 single-family homes. The resort's desire to build on the pristine acreage caused concern among a number of community residents and local environmental groups who opposed development of the property.

To resolve the dispute, The Homestead and the Park Service began discussions to exchange the environmentally sensitive riverfront property for acreage already included in the Lakeshore. Residents and area environmental organizations rejected the idea of an exchange. Opponents argued that it would unfairly give land from one private landowner to another.

In the 1970s, the Federal Government condemned private land and included it in the Lakeshore, one of the first cases where the Federal Government condemned property that was already inhabited. At the time, the Federal Government told the private property owners that their land would be protected for the public to enjoy. The idea of trading that land to be developed into a golf course and homes was not a policy local residents and environmental groups could endorse.

After much negotiation and compromise, a solution has been reached that aims to benefit all stakeholders and is supported by all stakeholders. The agreement is embodied in H.R. 408. The bill stipulates that the purchase of this land be made on a "willing seller" basis. This stipulation was included intentionally to provide assurances to The Homestead that their property will not be taken or withheld from them for any reason without their express consent. The bill also prohibits the Park

Service from acquiring the property by an exchange.

Mr. Speaker, I want to thank the House Committee on Resources, particularly the gentleman from California (Chairman POMBO); the Subcommittee on National Parks, Recreation and Public Lands chairman, the gentleman from California (Mr. RADANOVICH); and members of the subcommittee, the gentleman from Michigan (Mr. KILDEE) and the gentleman from Indiana (Mr. SOUDER), for their outstanding support.

I urge my colleagues to adopt this noncontroversial but important measure.

Mr. INSLEE. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan (Mr. STUPAK), who has been doing stalwart work for 11 years on this matter.

Mr. STUPAK. I thank the gentleman for yielding me time.

Mr. Speaker, H.R. 408 would accomplish the goal of allowing the National Park Service to acquire nearly 105 acres of land along the Crystal River adjacent to the Sleeping Bear Dunes National Lakeshore.

This legislation would facilitate the preservation of this rare and valuable land by allowing the National Park Service to add this property to the Sleeping Bear Dunes National Lakeshore, and, at the same time, would fairly compensate Bayberry Mills, Inc., a company affiliated with The Homestead, a large, well-known resort, for their property.

I have a particular interest in and a high degree of familiarity with the Sleeping Bear Dunes National Lakeshore and Bayberry Mills' property because for the last 10 years, it was located in my congressional district. It is a land of majestic beauty, and is a valuable environmental contribution to the area which lies along the pristine Crystal River.

For more than 17 years, there has been controversy about development along the Crystal River. Several proposals for development by the property owners have met with bitter opposition by environmentalists and some in the local community. There have been plans to build a golf course and develop homesites on the property. There is also a proposal to swap the property for lands within Sleeping Bear Dunes National Lakeshore. That, too, aroused controversy.

We must be grateful to Bayberry Mills and The Homestead for not developing this acreage and for their willingness to work with the National Park Service and our committees to preserve this land. However, now it is time to purchase this land and allow The Homestead to move on.

Last year, I introduced legislation to allow the Federal Government to purchase the land for inclusion into the Sleeping Bear Dunes National Lakeshore. This year, the gentleman from Michigan (Mr. CAMP), who has worked hard on this and who now represents

the area, and Senator LEVIN in the other body, have introduced similar legislation, which I fully support and have cosponsored.

This legislation has garnered the support of Bayberry Mills, the Park Service, the local community and many of those in the environmental community who opposed previous development plans for the property.

Mr. Bob Kuras, President of Bayberry Mills, is to be commended for his willingness to complete this sale, and Congress needs to act quickly to take advantage of this opportunity. I truly believe that this legislation is the only solution to a 17-year-old dispute, and it is extremely important that the House and Senate act now, so we can have closure on this issue.

The Park Service will benefit greatly by having the property included in the Lakeshore, the local communities will support this purchase, and Bayberry Mills will be fairly compensated for their property.

Mr. Speaker, I thank my staff for their work on this issue over the past 10 years. I want to thank the gentleman from Michigan (Mr. CAMP) and his staff for their diligent work on this legislation we are voting on today. None of this could happen without the support of the Committee on Resources, and we certainly appreciate their help and support in this effort. This is a win-win-win situation, and I strongly urge my colleagues to join us in the passage of H.R. 408.

Mr. CANNON. Mr. Speaker, I yield 3 minutes to the gentlewoman from Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. Mr. Speaker, I come to the floor today to urge my colleagues to support H.R. 408, to provide for the expansion of the Sleeping Bear Sand Dunes National Lakeshore, of course in my home State, the great State of Michigan. I also want to thank my colleagues, the gentleman from Michigan (Mr. CAMP) and the gentleman from Michigan (Mr. STUPAK) for offering this legislation.

As an avid Great Lakes sailor, I have been privileged to enjoy the natural beauty of our shoreline of my home State from both the land as well as the water. I am committed to preserving and protecting our lakeshore so that others can come to see the breathtaking splendor that we know as Michigan.

No part of our lakeshore is more spectacular than the Sleeping Bear Sand Dunes. Congress established the Sleeping Bear Sand Dunes National Lakeshore in 1970 to preserve this national treasure along the shores of Lake Michigan for all time.

For generations, Michigan citizens and tourists from around the Nation and the world have come to the Sleeping Bear Sand Dunes to enjoy the spectacular beauty of our shoreline and to enjoy the forest and the wildlife that this area does have to offer.

The Sleeping Bear Dunes were actually created by the retreat of the gla-

ciers from the area, and they rise 400 feet above Lake Michigan. They offer an incredible view of this wonderful lake, and it is difficult, I think, to imagine a more beautiful view anywhere in the Nation.

In addition to the view offered atop the dunes, families can also explore beech and maple forests, beautiful meadows, wetlands lakes and streams. Wildlife is bountiful all over the park there. We have over 160 different species of birds nesting in the area, as well as red fox, coyotes, and our Michigan white-tailed deer.

The expansion of this park, I believe, is needed to preserve even more of the surrounding beach front for future generations to enjoy. Most people do not know that in Michigan, actually, we have 2,242 miles of shoreline and another 879 miles, if the islands are included as well. We actually have the longest shoreline, outside of Alaska. This actually equals the length of the Atlantic coast, if you think about it, from Maine to Florida. So the Great Lakes shoreline is an important part of our identity.

I just want to demonstrate how important the Sleeping Bear Dunes actually are to the State of Michigan. This is a children's book. At one time it was the best-selling children's book in the entire State of Michigan. It tells the old Indian legend of the Sleeping Bear Dunes, where the mother bear and her two cubs were swimming across Lake Michigan, and the mother bear made it to the Sleeping Bear Dunes area, and the two cubs did not. They became North and South Manitou. But this is a wonder, wonderful children's book. It is the kind of children's story that we talk to our children about in Michigan when we put them to sleep at night.

So, really, the Sleeping Bear Dunes is such a critical part of our identity in Michigan. I certainly urge my colleagues to support this important legislation.

Mr. INSLEE. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Mr. Speaker, Sleeping Bear Dunes National Lakeshore is indeed a treasure. Located on Michigan's western shoreline of Lake Michigan, it is a splendor unto itself. This is why I strongly support H.R. 408, introduced by my colleague and friend, the gentleman from Michigan (Mr. CAMP).

This bill would authorize the acquisition of approximately 105 acres of pristine land for addition to the Lakeshore.

Since its establishment by Congress in 1970, Sleeping Bear Dunes has been enjoyed by many in Michigan and people from around the world. Thousands visit every year to experience its wonderful beaches, see its many wildflowers, birds and animals, and hike its trails.

Through the hard work of former Representative James O'Hara and former Senator Phil Hart, we protected

this beautiful land. Now, through the hard work of a bipartisan group of Members, including the gentleman from Michigan (Mr. CAMP), the gentleman from Michigan (Mr. STUPAK), the gentleman from Indiana (Mr. SOUDER) and myself, as well as Senators LEVIN and STABENOW over in the Senate, we have an opportunity to protect further these magnificent lands.

Sleeping Bear Dunes National Lakeshore comprises roughly 64 miles of Lake Michigan shoreline and a combined 72,000 acres of Federal and non-Federal land. I have visited Sleeping Bear Dunes National Lakeshore many times and can testify to its majesty and uniqueness.

Acquiring this land along the Crystal River, adjacent to Sleeping Bear Dunes National Lakeshore, has been an ongoing struggle to help preserve the scenic beauty of this area. H.R. 408 represents a hard-worked compromise between the private landowners, the National Park Service and many others who were involved. Its passage will be a large step forward in bringing this issue to a close.

Mr. CANNON. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana (Mr. SOUDER).

(Mr. SOUDER asked and was given permission to revise and extend his remarks.)

Mr. SOUDER. Mr. Speaker, first let me make it clear that I strongly support this legislation and also the necessary appropriations to follow through on the authorizing, and I think it is important we do it as soon as possible.

I would first like to express on the record a concern here, and that is that while it is a win-win situation for all the stakeholders involved, I personally believe there should have been a land swap. I believe the land swap was a reasonable request. What this is going to do is cost the taxpayers money that could have been used in other environmental projects in other parks around the country where we are still trying to buy out inholdings, to pay back people who, in fact, are restricted in their land use.

That said, for 17 years that has not happened. The owner is continuing to be deprived of his ability to use his property, and we do not want him to develop condominiums or housing developments along the beautiful Crystal River. It would destroy a very scenic area. So we have little choice in this area about what to do, and I believe this legislation will indeed compensate the owner, protect all the national park lands and expand the Sleeping Bear National Lakeshore.

I do not have any constituents in this area. I am not from the State of Michigan. I have many people from northern Indiana, including myself, who go up to Sleeping Bear. But I want to make a couple other general comments for the other Members of our body.

As you have heard from obviously the people from Michigan, just because

they are pro-Michigan does not mean it is not true. This fresh water coast has the best dunes and the best beaches in the United States. I serve on the Subcommittee on National Parks, Recreation and Public Lands. I have traveled around this country for multiple years. The dunes are more spectacular, more wild and more scenic than what you see in Oregon, than what you see in Kitty Hawk. The beaches are more private and rural in ability to enjoy than you see on any of our other coasts, as someone who visits those coasts as well.

This is incredibly scenic country in a very populace State. This is not like the Indiana Dunes Lakeshore, where we preserved an ecosystem right at the edge of Chicago where other cities are. This is one, however, that still has a number of inholdings, small towns, and, as we work this through, what used to be largely a series of State parks, like DH Day and Platte River and other State parks, has now been joined together, not only where the spectacular dunes are, but the ecosystem that is dependent on the dunes' survival, one of which is the Crystal River.

This beautiful, scenic area comes in through the town of Glen Arbor and out by Glen Haven, as well as the Platte River coming in another part, and the ability for canoeists to enjoy this, the ability to keep the watershed and the trees preserved, so that not only do we have those moving dunes, the largest moving dunes in the world preserved, but the ecosystem that people, like I did when I was in college every spring, we went up and camped at Sleeping Bear, and my parents took me up there when I was young, so that other families can enjoy a wilderness in a fairly populous area of America.

□ 1445

We do not have enough, unlike the speaker from Idaho and others, we do not have a lot of public lands in the Midwest. We do not have a lot of public lands, like many of my colleagues on the Subcommittee on National Parks, Recreation and Public Lands, like the gentleman from Utah (Mr. CANNON), who are looking often at districts that range anywhere from 30 to 90 percent Federal public lands. In the Midwest we have a shortage. This is helping fill an important gap in an important ecosystem with animal and bird diversity, with sand dunes, with rivers; and it is a rare opportunity to purchase this. So I hope we not only authorize this, but move the appropriations soon.

I commend the gentleman from Michigan (Mr. CAMP), the gentleman from Michigan (Mr. STUPAK), the gentleman from Michigan (Mr. KILDEE), and the gentlewoman from Michigan (Mrs. MILLER), and all of the others who have been involved. It has been a pleasure in preserving this important part of our natural and cultural heritage in the Midwest.

Mr. INSLEE. Mr. Speaker, in conclusion, we are just glad that the sponsors

of this have not allowed Sleeping Bear Dunes to lie. We appreciate their work.

Mr. Speaker, I yield back the balance of my time.

Mr. CANNON. Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the motion offered by the gentleman from Utah (Mr. CANNON) that the House suspend the rules and pass the bill, H.R. 408, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

AMENDING THE MINERAL LEASING ACT TO AUTHORIZE THE SECRETARY OF THE INTERIOR TO ISSUE COMBINED HYDROCARBON LEASING

Mr. CANNON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3062) to amend the Mineral Leasing Act to authorize the Secretary of the Interior to issue separately, for the same area, a lease for tar sand and a lease for oil and gas, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3062

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. COMBINED HYDROCARBON LEASING.

(a) SPECIAL PROVISIONS REGARDING LEASING.—Section 17(b)(2) of the Mineral Leasing Act (30 U.S.C. 226(b)(2)) is amended—

- (1) by inserting "(A)" after "(2)"; and
- (2) by adding at the end the following:

"(B) The Secretary may issue under this Act for the same area, separately—

"(i) a lease for exploration for and extraction of tar sand; and

"(ii) a lease for exploration for and development of oil and gas.

"(C) A lease issued under subparagraph (B)(ii) shall not be further subject to the Combined Hydrocarbon Leasing Act of 1981 (30 U.S.C. 181 et seq.).

"(D) A lease issued for tar sand shall be issued using the same bidding process, annual rental, and posting period as a lease issued for oil and gas, except that the minimum acceptable bid required for a lease issued for tar sand shall be \$2 per acre.

"(E) The Secretary may waive, suspend, or alter any requirement under section 26 that a permittee under a permit authorizing prospecting for tar sand must exercise due diligence, to promote any resource covered by a combined hydrocarbon lease."

(b) CONFORMING AMENDMENT.—Section 17(b)(1)(B) of the Mineral Leasing Act (30 U.S.C. 226(b)(1)(B)) is amended in the second sentence by inserting ", subject to paragraph (2)(B)," after "the Secretary".

(c) REGULATIONS.—Within 45 days after the date of the enactment of this Act, the Secretary of the Interior shall issue final regulations to implement this section.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. CANNON) and the gentleman from Washington (Mr. INSLEE) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. CANNON).

Mr. CANNON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, on November 16, 1981, Congress passed the Combined Hydrocarbon Leasing Act. This act was in direct response to the energy crisis of the late 1970s and a policy of the Carter administration to promote alternative energy sources. This law has not only failed to accomplish its primary objective, which was to stimulate the development of tar sands as an alternative fuel to imported oil, it has restricted conventional oil and gas development in over a million acres of land that is highly productive. The vast majority of this land is located in the Uinta Basin in my State of Utah.

The reality is that extraction and processing of tar sands is an uneconomic venture in the United States. Even if these designated tar sands were designated for lease, the industry would be reluctant to acquire the leases since recovery and processing of the tar sands is so costly. Only one lease sale has occurred on the tar sands since 1981, totaling 1.34 percent of the lands. This fact clearly illustrates the shortcomings of the act.

The potential reserves of conventional natural gas and oil under the tar sands areas is huge. This is a tremendous resource that is not currently available to the citizens of Utah or to the citizens of the United States who, in the recent past have and in the near future, will suffer from extremely high natural gas prices to heat their homes during the coming winter months.

In addition to the valuable oil and gas resources that are being lost, the Federal Government and the citizens of Utah are losing hundreds of millions of dollars in potential royalty and tax revenues from producers who are willing to process the oil and gas deposits in the tar sands areas. The Department of the Interior and the Bureau of Land Management would still administer these lands.

Producers attempting to lease these lands will be subject to every existing environmental stipulation as well as any new regulation that may be placed on these lands. Protections are already in place to prevent any degradation of existing wilderness areas and wilderness study areas.

The goal of my bill is to not circumvent or change any environmental regulations, but simply to make available for lease over 1 million acres of land that contain tremendous potential for natural gas and oil development by allowing the Secretary of the Interior to issue separately for the same area, a lease for tar sand and a lease for oil and gas development.

Action is in the public interest and would help increase the Nation's energy independence.

Mr. Speaker, I reserve the balance of my time.

Mr. INSLEE. Mr. Speaker, I yield myself such time as I may consume.

(Mr. INSLEE asked and was given permission to revise and extend his remarks.)

Mr. INSLEE. Mr. Speaker, it is my understanding that, in effect, this bill would apply to public lands which are administered by the Bureau of Land Management and have been identified as suitable for tar sand and oil and gas leasing within the State of Utah. The committee report states that no land designation would be changed or environmental regulation modified or circumvented in any way by this legislation. I think that is an important fact to note.

Mr. Speaker, I would have preferred that this bill be considered under regular order with a hearing in the Committee on Resources prior to markup and floor consideration, but out of our continuing efforts in the direction of comity and fair play, and in the consideration that we do not have the votes to change the outcome in any event, we are unaware of any substantive problems and will not object to its consideration today.

Mr. Speaker, I yield back the balance of my time.

Mr. CANNON. Mr. Speaker, let me just point out that in the spirit of comity and fair play, we appreciate the gentleman's statement. This initiative, I think, is well understood and well known, and I can assure the gentleman that all environmental concerns will be dealt with in the appropriate manner.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CANNON) that the House suspend the rules and pass the bill, H.R. 3062, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

CONVEYANCE OF CERTAIN NATIONAL FOREST SYSTEM LANDS IN MENDOCINO NATIONAL FOREST, CALIFORNIA

Mr. CANNON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 708) to require the conveyance of certain National Forest System lands in Mendocino National Forest, California, to provide for the use of the proceeds from such conveyance for National Forest purposes, and for other purposes.

The Clerk read as follows:

H.R. 708

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. LAND CONVEYANCE, FARAWAY RANCH, MENDOCINO NATIONAL FOREST, CALIFORNIA.

(a) CONVEYANCE REQUIRED.—Subject to subsection (b), the Secretary of Agriculture shall convey to the owner of the property known as the Faraway Ranch in Lake County, California (in this section referred to as

the "recipient"), by quitclaim deed, all right, title, and interest of the United States in and to the following National Forest System lands in Mendocino National Forest in Lake County, California:

(1) "Faraway Ranch, Tract 39" (approximately 15.8 acres), consisting of a portion of lot 6 of section 4, township 18 north, range 10 west, Mount Diablo base and meridian, as generally depicted on the map entitled "Faraway Ranch, Tracts 39 and 40" and dated June 30, 2002.

(2) "Faraway Ranch, Tract 40" (approximately 105.1 acres) consisting of a portion of the N $\frac{1}{2}$ SW $\frac{1}{4}$ and lot 7 of section 4, and a portion of lots 15 and 16 of section 5, township 18 north, range 10 west, Mount Diablo base and meridian, as generally depicted on the map referred to in paragraph (1).

(b) TIME FOR CONVEYANCE.—The Secretary shall make the conveyance under subsection (a) not later than 120 days after the date on which the recipient deposits sufficient funds with the Bureau of Land Management, California State Office, Branch of Geographic Services, to cover survey work costs and with the Forest Service, Mendocino National Forest, to cover Forest Service direct transaction costs described in subsection (e).

(c) CORRECTIONS.—With the agreement of the recipient, the Secretary may make minor corrections to the legal descriptions and map of the lands to be conveyed pursuant to this section.

(d) CONSIDERATION.—As consideration for the conveyance under subsection (a), the recipient shall pay to the Secretary an amount equal to the fair market value of the National Forest System lands conveyed under such subsection. The fair market value of such lands shall be determined by an appraisal that is acceptable to the Secretary and conforms with the Federal appraisal standards, as defined in the Uniform Appraisal Standards for Federal Land Acquisitions developed by the Interagency Land Acquisition Conference.

(e) PAYMENT OF COSTS.—All direct transaction costs associated with the conveyance under section (a), including the costs of appraisal, title, and survey work, shall be paid by the recipient.

(f) USE OF PROCEEDS.—

(1) DEPOSIT.—The Secretary shall deposit the amounts received by the Secretary as consideration under subsection (d) in the fund established by Public Law 90-171 (commonly known as the Sisk Act; 16 U.S.C. 484a).

(2) USE.—Funds deposited under paragraph (1) shall be available to the Secretary until expended, without further appropriation—

(A) for the acquisition of land and interests in land for National Forest System purposes in the State of California; and

(B) for reimbursement of costs incurred by the Forest Service in making the conveyance under subsection (a).

(3) STATUS OF ACQUIRED LAND.—Notwithstanding Public Law 85-862 (16 U.S.C. 521a), any lands acquired under paragraph (2)(A) shall be managed as lands acquired under the Act of March 1, 1911 (commonly known as the Weeks Act; 16 U.S.C. 480, 500, 515 et seq.), regardless of whether any of the lands conveyed under subsection (a) were reserved from the public domain.

(g) WITHDRAWAL.—Subject to valid existing rights, the lands to be conveyed under subsection (a) are hereby withdrawn from all forms of location, entry, and patent under the public land laws and the mining and mineral leasing laws of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. CANNON) and the gentleman from Washington (Mr. INSLEE) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. CANNON).

(Mr. CANNON asked and was given permission to revise and extend his remarks.)

Mr. CANNON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 708, sponsored by the gentleman from California (Mr. THOMPSON), would require the conveyance of certain National Forest System lands in the Mendocino National Forest, California, to provide for the use of the proceeds from such conveyance for National Forest purposes, and for other purposes.

This legislation would resolve a long-standing problem regarding the property boundary between the Mendocino National Forest and the Faraway Ranch in rural northern California. I urge support of the legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. INSLEE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 708 would correct a survey error by directing the Secretary of Agriculture to convey 120 acres of Forest Service land to the owner of the Faraway Ranch in California. In exchange, the rancher would pay fair market value for the lands.

We support this legislation sponsored by the gentleman from California (Mr. THOMPSON), who has been a tremendous advocate to get this long-standing issue resolved and has done a great job in his district. We urge the bill's adoption.

Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. THOMPSON).

Mr. THOMPSON of California. Mr. Speaker, I thank the gentleman from Washington for yielding me this time, and I also thank the gentleman from Utah (Mr. CANNON) and the gentleman from Washington for the opportunity to speak on this bill. I would also like to thank the chairman of the committee, the gentleman from California (Mr. POMBO), and the ranking member, the gentleman from West Virginia (Mr. RAHALL), for their help in finally resolving this long-standing problem.

I want to mention to all of the Members that this bill was passed by this House unanimously last year. Unfortunately, it was part of the omnibus bill that never made it out of the other body.

But as everyone has mentioned, this takes care of a problem that has been festering for quite some time over a disputed boundary line. This bill would convey 120 acres of National Forest Service property to a landowner, the owner of the Faraway Ranch, for fair market value. He would not only pay the fair market value for the land, but he would also pay all of the costs associated with the transfer and any surveying that needs to be done. Then the Forest Service will be able to take that money and purchase from willing sellers other property within the confines of this forest to allow them to better

manage our incredibly valuable national resource.

This is a good bill. It has no opposition and would take care of a long-standing problem. I would appreciate the support of all of my colleagues in making sure this is passed and signed into law.

Mr. INSLEE. Mr. Speaker, I yield back the balance of my time.

Mr. CANNON. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CANNON) that the House suspend the rules and pass the bill, H.R. 708.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. CANNON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bills H.R. 408, H.R. 3062, and H.R. 708.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed and on the questions postponed yesterday.

Votes will be taken in the following order:

H.R. 3108, by the yeas and nays;

H.R. 2297, by the yeas and nays;

H.R. 2998, by the yeas and nays;

House Resolution 355, by the yeas and nays; and

House Resolution 372, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The remaining electronic votes will be conducted as 5-minute votes.

PENSION FUNDING EQUITY ACT OF 2003

The SPEAKER pro tempore. The pending business is the question of passage of the bill, H.R. 3108, on which further proceedings were postponed and on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill.

The vote was taken by electronic device, and there were—yeas 397, nays 2, not voting 35, as follows:

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Ballance
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Becerra
Bell
Bereuter
Berman
Berry
Biggett
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite,
Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Carter
Case
Chabot
Chocola
Clay
Clyburn
Coble
Cole
Collins
Conyers
Cooper
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
DeLauro
DeMint

[Roll No. 535]

YEAS—397

Deutsch
Diaz-Balart, M.
Dicks
Dingell
Doggett
Dooley (CA)
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Emanuel
Emerson
Engel
English
Etheridge
Evans
Everett
Farr
Feeney
Ferguson
Filner
Flake
Forbes
Ford
Fossella
Frank (MA)
Franks (AZ)
Frelinghuysen
Frost
Galegally
Garrett (NJ)
Gerlach
Gibbons
Gillmor
Gingrey
Gonzalez
Goode
Gordon
Goss
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hill
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Istook
Jackson (IL)
Jackson-Lee
(TX)
Janklow
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee

Kilpatrick
King (IA)
King (NY)
Kingston
Kirk
Kleczka
Kline
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Lynch
Majette
Maloney
Manzullo
Markey
Marshall
Matheson
McCarthy (MO)
McCarthy (NY)
McCollum
McCotter
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Menendez
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Neal (MA)
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Oliver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascarell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering

Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Regula
Rehberg
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sanchez, Linda
T.
Sanchez, Loretta
Sandlin

Sanders

Berkley
Bono
Calvert
Castle
Davis (FL)
DeLay
Diaz-Balart, L.
Edwards
Eshoo
Fattah
Fletcher
Foley

Saxton
Schakowsky
Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (NC)

NAYS—2

Taylor (MS)

NOT VOTING—35

Gephardt
Gilchrest
Goodlatte
Hoolley (OR)
Houghton
Issa
Jones (OH)
Kaptur
Kind
Lofgren
Matsui
Meeks (NY)
Millender-McDonald
Mollohan
Napolitano
Rangel
Shaw
Solis
Upton
Vitter
Walden (OR)
Watson
Woolsey

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON) (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1519

Messrs. SIMMONS, STARK, CAMP and GREENWOOD changed their vote from "yea" to "nay."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. SOLIS. Mr. Speaker, during rollcall vote No. 535 on H.R. 3108, the Pension Funding Equity Act, I was unavoidably detained. Had I been present, I would have voted "yea."

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the remainder of this series will be conducted as 5-minute votes.

VETERANS BENEFITS ACT OF 2003

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 2297, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 2297, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 399, nays 0, not voting 35, as follows:

[Roll No. 536]

YEAS—399

| | | |
|----------------|-----------------|----------------|
| Abercrombie | Culberson | Holden |
| Ackerman | Cummings | Holt |
| Aderholt | Cunningham | Honda |
| Akin | Davis (AL) | Hooley (OR) |
| Alexander | Davis (CA) | Hostettler |
| Allen | Davis (IL) | Hoyer |
| Andrews | Davis (TN) | Hulshof |
| Baca | Davis, Jo Ann | Hunter |
| Bachus | Davis, Tom | Hyde |
| Baird | Deal (GA) | Inslee |
| Baker | DeFazio | Isakson |
| Baldwin | DeGette | Israel |
| Ballance | Delahunt | Istook |
| Ballenger | DeLauro | Jackson (IL) |
| Barrett (SC) | DeMint | Jackson-Lee |
| Bartlett (MD) | Deutsch | (TX) |
| Barton (TX) | Diaz-Balart, M. | Janklow |
| Bass | Dicks | Jefferson |
| Beauprez | Dingell | Jenkins |
| Becerra | Doggett | John |
| Bell | Dooley (CA) | Johnson (CT) |
| Bereuter | Doolittle | Johnson (IL) |
| Berman | Doyle | Johnson, E. B. |
| Berry | Dreier | Johnson, Sam |
| Biggett | Duncan | Jones (NC) |
| Bilirakis | Dunn | Kanjorski |
| Bishop (GA) | Ehlers | Keller |
| Bishop (NY) | Emanuel | Kelly |
| Bishop (UT) | Emerson | Kennedy (MN) |
| Blackburn | Engel | Kennedy (RI) |
| Blumenauer | English | Kildee |
| Blunt | Etheridge | Kilpatrick |
| Boehlert | Evans | King (IA) |
| Boehner | Everett | King (NY) |
| Bonilla | Farr | Kingston |
| Bonner | Feeney | Kirk |
| Boozman | Ferguson | Klecza |
| Boswell | Filner | Kline |
| Boucher | Flake | Knollenberg |
| Boyd | Forbes | Kolbe |
| Bradley (NH) | Ford | Kucinich |
| Brady (PA) | Fossella | LaHood |
| Brady (TX) | Frank (MA) | Lampson |
| Brown (OH) | Franks (AZ) | Langevin |
| Brown (SC) | Frelinghuysen | Lantos |
| Brown, Corrine | Frost | Larsen (WA) |
| Brown-Waite, | Gallegly | Larson (CT) |
| Ginny | Garrett (NJ) | Latham |
| Burgess | Gerlach | LaTourette |
| Burns | Gibbons | Leach |
| Burr | Gillmor | Lee |
| Burton (IN) | Gingrey | Levin |
| Buyer | Gonzalez | Lewis (CA) |
| Camp | Goode | Lewis (GA) |
| Cannon | Gordon | Lewis (KY) |
| Cantor | Goss | Linder |
| Capito | Granger | Lipinski |
| Capps | Graves | LoBiondo |
| Capuano | Green (TX) | Lowe |
| Cardin | Green (WI) | Lucas (KY) |
| Cardoza | Greenwood | Lucas (OK) |
| Carson (IN) | Grijalva | Lynch |
| Carson (OK) | Gutierrez | Majette |
| Carter | Gutknecht | Maloney |
| Case | Hall | Manzullo |
| Chabot | Harman | Markey |
| Chocola | Harris | Marshall |
| Clay | Hart | Matheson |
| Clyburn | Hastings (FL) | McCarthy (MO) |
| Coble | Hastings (WA) | McCarthy (NY) |
| Cole | Hayes | McCollum |
| Collins | Hayworth | McCotter |
| Conyers | Hefley | McCrery |
| Cooper | Hensarling | McDermott |
| Costello | Herger | McGovern |
| Cox | Hill | McHugh |
| Cramer | Hinche | McInnis |
| Crane | Hinojosa | McIntyre |
| Crenshaw | Hobson | McKeon |
| Crowley | Hoeffel | McNulty |
| Cubin | Hoekstra | Meehan |

| | | |
|----------------|------------------|---------------|
| Meek (FL) | Pryce (OH) | Smith (WA) |
| Menendez | Putnam | Snyder |
| Mica | Radanovich | Souder |
| Michaud | Rahall | Spratt |
| Miller (FL) | Ramstad | Stark |
| Miller (MI) | Regula | Stearns |
| Miller (NC) | Rehberg | Stenholm |
| Miller, Gary | Renzi | Strickland |
| Miller, George | Reyes | Stupak |
| Moore | Reynolds | Sullivan |
| Moran (KS) | Rodriguez | Sweeney |
| Moran (VA) | Rogers (AL) | Tancred |
| Murphy | Rogers (KY) | Tanner |
| Murtha | Rogers (MI) | Tauscher |
| Musgrave | Rohrabacher | Tauzin |
| Myrick | Ros-Lehtinen | Taylor (MS) |
| Nadler | Ross | Taylor (NC) |
| Neal (MA) | Rothman | Terry |
| Nethercutt | Roybal-Allard | Thomas |
| Neugebauer | Royce | Thompson (CA) |
| Ney | Ruppersberger | Thompson (MS) |
| Northup | Rush | Thornberry |
| Norwood | Ryan (OH) | Tiahrt |
| Nunes | Ryan (WI) | Tiberi |
| Nussle | Ryun (KS) | Tierney |
| Oberstar | Sabo | Toomey |
| Obey | Sanchez, Linda | Towns |
| Oliver | T. | Turner (OH) |
| Ortiz | Sanchez, Loretta | Turner (TX) |
| Osborne | Sanders | Udall (CO) |
| Ose | Sandlin | Udall (NM) |
| Otter | Saxton | Van Hollen |
| Owens | Schakowsky | Velazquez |
| Oxley | Schiff | Visclosky |
| Pallone | Schrock | Walsh |
| Pascarell | Scott (GA) | Wamp |
| Pastor | Scott (VA) | Waters |
| Paul | Sensenbrenner | Watt |
| Payne | Serrano | Waxman |
| Pearce | Sessions | Weiner |
| Pelosi | Shadegg | Weldon (FL) |
| Pence | Shays | Weldon (PA) |
| Peterson (MN) | Sherman | Weller |
| Peterson (PA) | Sherwood | Wexler |
| Petri | Shimkus | Whitfield |
| Pickering | Shuster | Wicker |
| Pitts | Simmons | Wilson (NM) |
| Platts | Simpson | Wilson (SC) |
| Pombo | Skeltan | Wolf |
| Pomeroy | Slaughter | Wu |
| Porter | Smith (MI) | Wynn |
| Portman | Smith (NJ) | Young (AK) |
| Price (NC) | Smith (TX) | Young (FL) |

NOT VOTING—35

| | | |
|-----------------|------------|-------------|
| Berkley | Gilchrest | Napolitano |
| Bono | Goodlatte | Quinn |
| Calvert | Houghton | Rangel |
| Castle | Issa | Shaw |
| Davis (FL) | Jones (OH) | Solis |
| DeLay | Kaptur | Upton |
| Diaz-Balart, L. | Kind | Vitter |
| Edwards | Lofgren | Walden (OR) |
| Eshoo | Matsui | Watson |
| Fattah | Meeks (NY) | Woolsey |
| Fletcher | Millender- | |
| Foley | McDonald | |
| Gephardt | Mollohan | |

□ 1526

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: "A bill to amend title 38, United States Code, to improve benefits under laws administered by the Secretary of Veterans Affairs, and for other purposes."

A motion to reconsider was laid on the table.

Stated for:

Ms. SOLIS. Mr. Speaker, during rollcall vote No. 536 on H.R. 2297, the Veterans Benefits Act, I was unavoidably detained. Had I been present, I would have voted "yea."

Mr. GOODLATTE. Mr. Speaker, on rollcall Nos. 535 and 536 I was unavoidably detained. Had I been present, I would have voted "yea."

PERMANENT AUTHORITY FOR EXEMPTION FOR CERTAIN MEMBERS OF THE ARMED FORCES FROM PAYING SUBSISTENCE CHARGES WHILE HOSPITALIZED

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 2998, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. MCHUGH) that the House suspend the rules and pass the bill, H.R. 2998, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 399, nays 0, not voting 35, as follows:

[Roll No. 537]

YEAS—399

| | | |
|----------------|-----------------|----------------|
| Abercrombie | Coble | Granger |
| Ackerman | Cole | Graves |
| Aderholt | Collins | Green (TX) |
| Akin | Conyers | Green (WI) |
| Alexander | Cooper | Greenwood |
| Allen | Costello | Grijalva |
| Andrews | Cox | Gutierrez |
| Baca | Cramer | Gutknecht |
| Bachus | Crane | Hall |
| Baird | Crenshaw | Harman |
| Baker | Crowley | Harris |
| Baldwin | Cubin | Hart |
| Ballance | Culberson | Hastings (FL) |
| Ballenger | Cummings | Hastings (WA) |
| Barrett (SC) | Cunningham | Hayes |
| Bartlett (MD) | Davis (AL) | Hayworth |
| Barton (TX) | Davis (CA) | Hefley |
| Bass | Davis (IL) | Hensarling |
| Beauprez | Davis (TN) | Herger |
| Becerra | Davis, Jo Ann | Hill |
| Bell | Davis, Tom | Hinche |
| Bereuter | Deal (GA) | Hinojosa |
| Berman | DeFazio | Hobson |
| Berry | DeGette | Hoeffel |
| Biggett | Delahunt | Hoekstra |
| Bilirakis | DeLauro | Holden |
| Bishop (GA) | DeMint | Holt |
| Bishop (NY) | Deutsch | Honda |
| Bishop (UT) | Diaz-Balart, M. | Hooley (OR) |
| Blackburn | Dicks | Hostettler |
| Blumenauer | Dingell | Hoyer |
| Blunt | Doggett | Hulshof |
| Boehlert | Dooley (CA) | Hyde |
| Boehner | Doolittle | Inslee |
| Bonilla | Doyle | Isakson |
| Bonner | Dreier | Israel |
| Boozman | Duncan | Istook |
| Boswell | Dunn | Jackson (IL) |
| Boucher | Ehlers | Jackson-Lee |
| Boyd | Emanuel | (TX) |
| Bradley (NH) | Emerson | Janklow |
| Brady (PA) | Engel | Jefferson |
| Brady (TX) | English | Jenkins |
| Brown (OH) | Etheridge | John |
| Brown (SC) | Evans | Johnson (CT) |
| Brown, Corrine | Everett | Johnson (IL) |
| Brown-Waite, | Farr | Johnson, E. B. |
| Ginny | Feeney | Johnson, Sam |
| Burgess | Ferguson | Jones (NC) |
| Burns | Filner | Kanjorski |
| Burr | Flake | Keller |
| Burton (IN) | Forbes | Kelly |
| Buyer | Ford | Kennedy (MN) |
| Camp | Fossella | Kennedy (RI) |
| Cannon | Frank (MA) | Kildee |
| Cantor | Franks (AZ) | Kilpatrick |
| Capito | Frelinghuysen | King (IA) |
| Capps | Frost | King (NY) |
| Capuano | Gallegly | Kingston |
| Cardin | Garrett (NJ) | Kirk |
| Cardoza | Gerlach | Klecza |
| Carson (IN) | Gibbons | Kline |
| Carson (OK) | Gillmor | Knollenberg |
| Carter | Gingrey | Kolbe |
| Case | Gonzalez | Kucinich |
| Chabot | Goode | LaHood |
| Chocola | Goodlatte | Lampson |
| Clay | Gordon | Langevin |
| Clyburn | Goss | Lantos |

| | | |
|---------------|------------------|---------------|
| Larsen (WA) | Ose | Shays |
| Larson (CT) | Otter | Sherman |
| Latham | Owens | Sherwood |
| LaTourette | Oxley | Shimkus |
| Leach | Pallone | Shuster |
| Lee | Pascrell | Simmons |
| Levin | Pastor | Simpson |
| Lewis (CA) | Paul | Skelton |
| Lewis (GA) | Payne | Slaughter |
| Lewis (KY) | Pearce | Smith (MI) |
| Linder | Pelosi | Smith (NJ) |
| Lipinski | Pence | Smith (TX) |
| LoBiondo | Peterson (MN) | Smith (WA) |
| Lowey | Peterson (PA) | Snyder |
| Lucas (KY) | Petri | Souder |
| Lucas (OK) | Pickering | Spratt |
| Lynch | Pitts | Stark |
| Majette | Platts | Stearns |
| Maloney | Pombo | Stenholm |
| Manzullo | Pomeroy | Strickland |
| Markey | Porter | Stupak |
| Marshall | Portman | Sullivan |
| Matheson | Price (NC) | Sweeney |
| McCarthy (MO) | Pryce (OH) | Tancred |
| McCarthy (NY) | Putnam | Tanner |
| McCollum | Quinn | Tauscher |
| McCotter | Radanovich | Tauzin |
| McCrery | Rahall | Taylor (MS) |
| McDermott | Ramstad | Taylor (NC) |
| McGovern | Regula | Terry |
| McHugh | Rehberg | Thomas |
| McInnis | Renzi | Thompson (CA) |
| McIntyre | Reyes | Thompson (MS) |
| McKeon | Reynolds | Thornberry |
| McNulty | Rodriguez | Tiaht |
| Meehan | Rogers (AL) | Tiberi |
| Meek (FL) | Rogers (KY) | Tierney |
| Menendez | Rogers (MI) | Toomey |
| Mica | Rohrabacher | Towns |
| Michaud | Ros-Lehtinen | Turner (OH) |
| Miller (FL) | Ross | Turner (TX) |
| Miller (MI) | Rothman | Udall (CO) |
| Miller (NC) | Roybal-Allard | Udall (NM) |
| Miller, Gary | Royce | Van Hollen |
| Moore | Ruppersberger | Velazquez |
| Moran (KS) | Rush | Visclosky |
| Moran (VA) | Ryan (OH) | Walsh |
| Murphy | Ryan (WI) | Wamp |
| Murtha | Ryun (KS) | Waters |
| Musgrave | Sabo | Watt |
| Myrick | Sanchez, Linda | Waxman |
| Nadler | T. | Weiner |
| Neal (MA) | Sanchez, Loretta | Weldon (FL) |
| Nethercutt | Sanders | Weldon (PA) |
| Neugebauer | Sandlin | Weller |
| Ney | Saxton | Wexler |
| Northup | Schakowsky | Whitfield |
| Norwood | Schiff | Wicker |
| Nunes | Schrock | Wilson (NM) |
| Nussle | Scott (GA) | Wilson (SC) |
| Oberstar | Scott (VA) | Wolf |
| Obey | Sensenbrenner | Wu |
| Olver | Serrano | Wynn |
| Ortiz | Sessions | Young (AK) |
| Osborne | Shadegg | Young (FL) |

NOT VOTING—35

| | | |
|-----------------|----------------|-------------|
| Berkley | Gilchrest | Mollohan |
| Bono | Houghton | Napolitano |
| Calvert | Hunter | Rangel |
| Castle | Issa | Shaw |
| Davis (FL) | Jones (OH) | Solis |
| DeLay | Kaptur | Upton |
| Diaz-Balart, L. | Kind | Vitter |
| Edwards | Lofgren | Walden (OR) |
| Eshoo | Matsui | Watson |
| Fattah | Meeks (NY) | Woolsey |
| Fletcher | Millender | |
| Foley | McDonald | |
| Gephardt | Miller, George | |

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON) (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1533

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: "A bill to amend title 10, United States Code, to provide perma-

nent authority for the exemption for certain members of the uniformed services from an otherwise-applicable requirement for the payment of subsistence charges while hospitalized."

A motion to reconsider was laid on the table.

Stated for:

Ms. SOLIS. Mr. Speaker, during rollcall vote No. 537 on H.R. 2298, on exempting members of the Armed Forces from subsistence charges while hospitalized, I was unavoidably detained. Had I been present, I would have voted "yea."

COMMEMORATING THE 100TH ANNIVERSARY OF DIPLOMATIC RELATIONS BETWEEN THE UNITED STATES AND BULGARIA

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and agreeing to the resolution, H. Res. 355.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nebraska (Mr. BE-REUTER) that the House suspend the rules and agree to the resolution, H. Res. 355, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 397, nays 0, not voting 37, as follows:

[Roll No. 538]

YEAS—397

| | | |
|----------------|---------------|-----------------|
| Abercrombie | Burgess | Diaz-Balart, M. |
| Ackerman | Burns | Dicks |
| Aderholt | Burr | Dingell |
| Akin | Burton (IN) | Doggett |
| Alexander | Buyer | Dooley (CA) |
| Allen | Camp | Doolittle |
| Andrews | Cannon | Doyle |
| Baca | Cantor | Dreier |
| Bachus | Capito | Duncan |
| Baird | Capps | Dunn |
| Baker | Capuano | Edwards |
| Baldwin | Cardin | Ehlers |
| Ballance | Cardoza | Emanuel |
| Ballenger | Carson (IN) | Emerson |
| Barrett (SC) | Carson (OK) | Engel |
| Bartlett (MD) | Carter | English |
| Barton (TX) | Case | Etheridge |
| Bass | Chabot | Evans |
| Beauprez | Chocola | Everett |
| Becerra | Clay | Farr |
| Bell | Clyburn | Feeney |
| Bereuter | Coble | Ferguson |
| Berman | Cole | Filner |
| Berry | Conyers | Flake |
| Biggart | Cooper | Forbes |
| Bilirakis | Costello | Ford |
| Bishop (GA) | Cox | Fossella |
| Bishop (NY) | Cramer | Frank (MA) |
| Bishop (UT) | Crane | Franks (AZ) |
| Blackburn | Crenshaw | Frelinghuysen |
| Blumenauer | Crowley | Frost |
| Blunt | Cubin | Gallely |
| Boehlert | Culberson | Garrett (NJ) |
| Boehner | Cummings | Gerlach |
| Bonilla | Cunningham | Gibbons |
| Bonner | Davis (AL) | Gillmor |
| Boozman | Davis (CA) | Gingrey |
| Boswell | Davis (IL) | Gonzalez |
| Boucher | Davis (TN) | Goode |
| Boyd | Davis, Jo Ann | Goodlatte |
| Bradley (NH) | Davis, Tom | Gordon |
| Brady (PA) | Deal (GA) | Goss |
| Brady (TX) | DeFazio | Granger |
| Brown (OH) | DeGette | Graves |
| Brown (SC) | DeLaunt | Green (TX) |
| Brown, Corrine | DeLauro | Green (WI) |
| Brown-Waite, | DeMint | Greenwood |
| Ginny | Deutsch | Grijalva |

| | | |
|----------------|----------------|------------------|
| Gutierrez | Matheson | Rush |
| Gutknecht | McCarthy (MO) | Ryan (OH) |
| Hall | McCarthy (NY) | Ryan (WI) |
| Harman | McCollum | Ryun (KS) |
| Harris | McCotter | Sabo |
| Hart | McCrery | Sanchez, Linda |
| Hastings (FL) | McDermott | T. |
| Hastings (WA) | McGovern | Sanchez, Loretta |
| Hayes | McHugh | Sanders |
| Hayworth | McIntyre | Sandlin |
| Hefley | McKeon | Saxton |
| Hensarling | McNulty | Schakowsky |
| Herger | Meehan | Schiff |
| Hill | Meek (FL) | Schrock |
| Hinche | Menendez | Scott (GA) |
| Hinojosa | Mica | Scott (VA) |
| Hobson | Michaud | Sensenbrenner |
| Hoefel | Miller (FL) | Serrano |
| Hoekstra | Miller (MI) | Sessions |
| Holden | Miller (NC) | Shadegg |
| Holt | Miller, Gary | Shays |
| Honda | Miller, George | Sherman |
| Hooley (OR) | Moran (CA) | Sherwood |
| Hostettler | Moran (VA) | Shimkus |
| Hoyer | Murphy | Shuster |
| Hulshof | Murtha | Simmons |
| Hunter | Musgrave | Simpson |
| Hyde | Myrick | Skelton |
| Inslee | Nadler | Smith (MI) |
| Isakson | Neal (MA) | Smith (NJ) |
| Israel | Nethercutt | Smith (TX) |
| Istook | Neugebauer | Smith (WA) |
| Jackson (IL) | Ney | Snyder |
| Jackson-Lee | Northup | Souder |
| (TX) | Norwood | Spratt |
| Janklow | Nunes | Stark |
| Jefferson | Nussle | Stearns |
| Jenkins | Oberstar | Stenholm |
| John | Obey | Strickland |
| Johnson (CT) | Olver | Stupak |
| Johnson (IL) | Ortiz | Sullivan |
| Johnson, E. B. | Osborne | Sweeney |
| Johnson, Sam | Ose | Tancred |
| Jones (NC) | Otter | Tanner |
| Kanjorski | Owens | Tauscher |
| Keller | Oxley | Tauzin |
| Kelly | Pallone | Taylor (MS) |
| Kennedy (MN) | Pascrell | Taylor (NC) |
| Kennedy (RI) | Pastor | Terry |
| Kildee | Paul | Thomas |
| Kilpatrick | Payne | Thompson (CA) |
| King (IA) | Pearce | Thompson (MS) |
| King (NY) | Pelosi | Thornberry |
| Kingston | Pence | Tiaht |
| Kirk | Peterson (MN) | Tiberi |
| Klecza | Peterson (PA) | Tierney |
| Kline | Petri | Toomey |
| Knollenberg | Platts | Towns |
| Kolbe | Pombo | Turner (OH) |
| Kucinich | Pomeroy | Turner (TX) |
| LaHood | Porter | Udall (CO) |
| Lampson | Portman | Udall (NM) |
| Langevin | Price (NC) | Van Hollen |
| Lantos | Pryce (OH) | Velazquez |
| Larsen (WA) | Putnam | Visclosky |
| Larson (CT) | Quinn | Walsh |
| Latham | Radanovich | Wamp |
| LaTourette | Rahall | Waters |
| Leach | Ramstad | Watt |
| Lee | Regula | Waxman |
| Levin | Rehberg | Weiner |
| Lewis (CA) | Renzi | Weldon (FL) |
| Lewis (GA) | Reyes | Weldon (PA) |
| Lewis (KY) | Reynolds | Weller |
| Linder | Rodriguez | Wexler |
| Lipinski | Rogers (AL) | Whitfield |
| LoBiondo | Rogers (KY) | Wicker |
| Lowey | Rogers (MI) | Wilson (NM) |
| Lucas (KY) | Rohrabacher | Wilson (SC) |
| Lucas (OK) | Ros-Lehtinen | Wolf |
| Lynch | Ross | Wu |
| Majette | Rothman | Wynn |
| Maloney | Roybal-Allard | Young (AK) |
| Manzullo | Royce | Young (FL) |
| Markey | Ruppersberger | |
| Marshall | | |

NOT VOTING—37

| | | |
|-----------------|------------|------------|
| Berkley | Foley | Meeks (NY) |
| Bono | Gephardt | Millender- |
| Calvert | Gilchrest | McDonald |
| Castle | Houghton | Mollohan |
| Collins | Issa | Moore |
| Davis (FL) | Jones (OH) | Napolitano |
| DeLay | Kaptur | Pickering |
| Diaz-Balart, L. | Kind | Rangel |
| Eshoo | Lofgren | Shaw |
| Fattah | Matsui | Slaughter |
| Fletcher | McInnis | |

Solis Vitter Watson
Upton Walden (OR) Woolsey

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1540

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. SOLIS. Mr. Speaker, during rollcall vote No. 538 on H. Res. 355, concerning diplomatic relations between the U.S. and Bulgaria, I was unavoidably detained. Had I been present, I would have voted "yea."

EXPRESSING THE CONDOLENCES OF THE HOUSE OF REPRESENTATIVES IN RESPONSE TO THE MURDER OF SWEDISH FOREIGN MINISTER ANNA LINDH

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and agreeing to the resolution, H. Res. 372.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nebraska (Mr. BE-REUTER) that the House suspend the rules and agree to the resolution, H. Res. 372, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 398, nays 0, not voting 36, as follows:

[Roll No. 539]

YEAS—398

| | | |
|---------------|----------------|-----------------|
| Abercrombie | Boyd | Crane |
| Ackerman | Bradley (NH) | Crenshaw |
| Aderholt | Brady (PA) | Crowley |
| Akin | Brady (TX) | Cubin |
| Alexander | Brown (OH) | Culberson |
| Allen | Brown (SC) | Cummings |
| Andrews | Brown, Corrine | Cunningham |
| Baca | Brown-Waite, | Davis (AL) |
| Baird | Ginny | Davis (CA) |
| Baker | Burgess | Davis (IL) |
| Baldwin | Burns | Davis (TN) |
| Ballance | Burr | Davis, Jo Ann |
| Ballenger | Burton (IN) | Davis, Tom |
| Barrett (SC) | Buyer | Deal (GA) |
| Bartlett (MD) | Camp | DeFazio |
| Barton (TX) | Cannon | DeGette |
| Bass | Cantor | Delahunt |
| Beauprez | Capito | DeLauro |
| Becerra | Capps | DeMint |
| Bell | Capuano | Deutsch |
| Bereuter | Cardin | Diaz-Balart, M. |
| Berman | Cardoza | Dicks |
| Berry | Carson (IN) | Dingell |
| Biggert | Carson (OK) | Doggett |
| Bilirakis | Carter | Dooley (CA) |
| Bishop (GA) | Case | Doolittle |
| Bishop (NY) | Chabot | Doyle |
| Bishop (UT) | Chocola | Dreier |
| Blackburn | Clay | Duncan |
| Blumenauer | Clyburn | Dunn |
| Blunt | Coble | Edwards |
| Boehlert | Cole | Ehlers |
| Boehner | Collins | Emanuel |
| Bonilla | Conyers | Emerson |
| Bonner | Cooper | Engel |
| Boozman | Costello | English |
| Boswell | Cox | Etheridge |
| Boucher | Cramer | Evans |

| | |
|----------------|----------------|
| Everett | Latham |
| Farr | LaTourette |
| Feeney | Leach |
| Ferguson | Lee |
| Filner | Levin |
| Flake | Lewis (CA) |
| Forbes | Lewis (GA) |
| Ford | Lewis (KY) |
| Fossella | Linder |
| Frank (MA) | Lipinski |
| Franks (AZ) | LoBiondo |
| Frelinghuysen | Lowe |
| Frost | Lucas (KY) |
| Gallegly | Lucas (OK) |
| Garrett (NJ) | Lynch |
| Gerlach | Majette |
| Gibbons | Maloney |
| Gillmor | Manzullo |
| Gingrey | Markey |
| Gonzalez | Marshall |
| Goode | Matheson |
| Goodlatte | McCarthy (MO) |
| Gordon | McCarthy (NY) |
| Goss | McCollum |
| Granger | McCotter |
| Graves | McCrery |
| Green (TX) | McDermott |
| Green (WI) | McGovern |
| Greenwood | McHugh |
| Grijalva | McIntyre |
| Gutierrez | McKeon |
| Gutknecht | McNulty |
| Hall | Meehan |
| Harman | Meek (FL) |
| Harris | Menendez |
| Hart | Mica |
| Hastings (FL) | Michaud |
| Hastings (WA) | Miller (FL) |
| Hayes | Miller (MI) |
| Hayworth | Miller (NC) |
| Hefley | Miller, Gary |
| Hensarling | Miller, George |
| Hерger | Moore |
| Hill | Moran (KS) |
| Hinchey | Moran (VA) |
| Hinojosa | Murphy |
| Hobson | Murtha |
| Hoeffel | Musgrave |
| Hoekstra | Myrick |
| Holden | Nadler |
| Holt | Neal (MA) |
| Honda | Nethercutt |
| Hooley (OR) | Neugebauer |
| Hostettler | Ney |
| Hoyer | Northup |
| Hulshof | Norwood |
| Hunter | Nunes |
| Hyde | Nussle |
| Inslee | Oberstar |
| Isakson | Obey |
| Israel | Olver |
| Istook | Ortiz |
| Jackson (IL) | Osborne |
| Jackson-Lee | Ose |
| (TX) | Otter |
| Janklow | Owens |
| Jefferson | Oxley |
| Jenkins | Pallone |
| John | Pascarell |
| Johnson (CT) | Pastor |
| Johnson (IL) | Paul |
| Johnson, E. B. | Payne |
| Johnson, Sam | Pearce |
| Jones (NC) | Pelosi |
| Kanjorski | Pence |
| Keller | Peterson (MN) |
| Kelly | Peterson (PA) |
| Kennedy (MN) | Petri |
| Kennedy (RI) | Pitts |
| Kildee | Platts |
| Kilpatrick | Pombo |
| King (IA) | Pomeroy |
| King (NY) | Porter |
| Kingston | Portman |
| Kirk | Price (NC) |
| Klecza | Pryce (OH) |
| Kline | Putnam |
| Knollenberg | Quinn |
| Kolbe | Radanovich |
| Kucinich | Rahall |
| LaHood | Ramstad |
| Lampson | Regula |
| Langevin | Rehberg |
| Lantos | Renzi |
| Larsen (WA) | Reyes |
| Larson (CT) | Reynolds |

| | |
|---------------|------------------|
| Rodriguez | Rogers (AL) |
| Rogers (KY) | Rogers (MI) |
| Rohrabacher | Ros-Lehtinen |
| Ross | Rothman |
| Roybal-Allard | Royce |
| Ruppersberger | Rush |
| Ryan (OH) | Ryan (WI) |
| Ryan (KS) | Ryann |
| Sabo | Sanchez, Linda |
| T. | Sanchez, Loretta |
| Sanders | Sandlin |
| Saxton | Schakowsky |
| Schiff | Schrock |
| Scott (GA) | Scott (VA) |
| Sensenbrenner | Serrano |
| Sessions | Shadeegg |
| Shays | Sherman |
| Sherwood | Shimkus |
| Shuster | Simmons |
| Simpson | Skelton |
| Smith (MI) | Smith (NJ) |
| Smith (TX) | Smith (WA) |
| Snyder | Souder |
| Spratt | Stark |
| Stearns | Stenholm |
| Strickland | Stupak |
| Sullivan | Sweeney |
| Tancredo | Tanner |
| Tauscher | Tauzin |
| Taylor (MS) | Taylor (NC) |
| Terry | Thomas |
| Thompson (CA) | Thompson (MS) |
| Thornberry | Tiahrt |
| Tiberi | Tierney |
| Toomey | Towns |
| Turner (OH) | Turner (TX) |
| Udall (CO) | Udall (NM) |
| Van Hollen | Velazquez |
| Visclosky | Walsh |
| Wamp | Waters |
| Watt | Waxman |
| Weiner | Weldon (FL) |
| Weldon (PA) | Weller |
| Wexler | Whitfield |
| Wicker | Wilson (NM) |
| Wilson (SC) | Wolf |
| Wu | Wynn |
| Young (AK) | Young (FL) |

NOT VOTING—36

| | | |
|-----------------|------------|-------------|
| Bachus | Gilchrest | Napolitano |
| Berkley | Houghton | Pickering |
| Bono | Issa | Rangel |
| Calvert | Jones (OH) | Shaw |
| Castle | Kind | Slaughter |
| Davis (FL) | Lofgren | Solis |
| DeLay | Matsui | Upton |
| Diaz-Balart, L. | McInnis | Vitter |
| Eshoo | Meeks (NY) | Walden (OR) |
| Fattah | Millender- | Watson |
| Fletcher | McDonald | Woolsey |
| Foley | Mollohan | |
| Gephardt | | |

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1549

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. SOLIS. Mr. Speaker, during rollcall vote No. 539 on H. Res. 372, expressing condolences for Swedish Foreign Minister Anna Lindh, I was unavoidably detained. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Ms. SLAUGHTER. Mr. Speaker, I was unable to be present for rollcall votes 538 and 539 for personal reasons. Had I been present, I would have voted "yea" on rollcall votes 538 and 539.

LEGISLATIVE PROGRAM

(Mr. LEWIS of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LEWIS of Georgia. Mr. Speaker, I rise to inquire of the majority regarding the schedule for next week.

Mr. CANTOR. Mr. Speaker, will the gentleman yield?

Mr. LEWIS of Georgia. I yield to the gentleman from Virginia.

Mr. CANTOR. Mr. Speaker, I thank the gentleman from Georgia for yielding to me.

Mr. Speaker, I want to make all the Members aware that the House has completed voting for the day and the week. We will postpone until next week any votes called on the three pending motions to instruct.

Next week, the House will convene on Wednesday at 2 p.m. for legislative business. At that time we expect to consider several measures under suspension of the rules. Any votes called on these measures will be rolled until after 6:30 p.m.

On Thursday, we plan to begin consideration of the Iraq supplemental, which the Committee on Appropriations is scheduled to mark up tomorrow. In addition to this measure, Mr. Speaker, we expect that a number of conference reports could be ready for the House to consider.

While it is difficult to predict the ability of the House and Senate conferees to reach agreements, I would

note that the more likely candidates are probably the interior and military construction appropriation measures.

Finally, I would like to remind all Members that we do expect to have votes next Friday, October 17, and may be working late that afternoon. Again, I thank the gentleman from Georgia for yielding and will be happy to answer any questions he may have.

Mr. LEWIS of Georgia. Reclaiming my time, Mr. Speaker, I thank the gentleman from Virginia for those comments, and I will continue to yield to the majority for a response, but I noticed the gentleman mentioned several conference reports coming up next week and that the military construction and interior appropriation bills are the most likely. Would those be the business for next Friday; since the gentleman indicated that he does expect to be in on Friday, possibly late Friday night?

Mr. CANTOR. Mr. Speaker, if the gentleman will continue to yield, I would say to him that we are working to complete those appropriation conference reports and it may be that the Iraq supplemental and the discussion and debate on that will go into Friday as well.

Mr. LEWIS of Georgia. Mr. Speaker, the gentleman indicated that he intends to begin debate on the Iraq supplemental bill on Thursday. Our side would like to know if it would be possible for us to begin that debate, since we are going to be here, on Wednesday, so that every Member, every Member of the Congress will have an opportunity to participate in this debate?

I take particular notice of the fact that when we debated the force resolution that every Member of the Congress, all of us, had an opportunity to participate in that debate.

Mr. CANTOR. Again, Mr. Speaker, if the gentleman will further yield, I would respond to him by saying that I think it is possible, although nothing has been decided yet. I know our staff on this side has begun to meet with your staff there, and we will do everything we can to cooperate to try and make sure that all have the opportunity to engage on this issue.

Mr. LEWIS of Georgia. Mr. Speaker, continuing to yield to my friend from Virginia with regard to the process for floor debate next week, we were told that an open rule is anticipated. However, as the gentleman knows, that does not guarantee that we will have the full debate this serious matter demands. The American people deserve to have a full, serious, open and candid discussion. Therefore, we expect that the rule would grant whatever waivers are necessary so that Members would be allowed to have a full debate and the ability to offer substantial amendments.

What assurance, what guarantee can the gentleman provide in this regard?

Mr. CANTOR. I would say to the gentleman, Mr. Speaker, that as I said earlier, the process has begun with discus-

sion among the staff on both sides of the aisle. I would say that, certainly, past precedent would certainly be a guide to what the shape of the debate will look like on the Iraq supplemental. I would be confident that the chairmen of both the Committee on Rules as well as the Committee on Appropriations would be consulted as to the nature of that debate.

I could also assure the gentleman that all the Members on this side are just as anxious as any to make sure that we fully fund the needs of our men and women in the Armed Forces, so we can continue with their mission in Iraq.

Mr. LEWIS of Georgia. Mr. Speaker, I must say to my colleague that I think the Members on this side, and all Members, want to be supportive of our men and women in uniform in Iraq. At the same time, I think all of us need to know very soon whether we are going to have an opportunity to engage in a full, candid, and open discussion when we speak of \$87 billion.

Mr. CANTOR. Again, I would say to the gentleman that the process is ongoing, and we will work together to try and make sure that all the necessary issues are addressed; and that, yes, we will look forward to discussion and passage of that measure next week.

Mr. DOGGETT. Mr. Speaker, will the gentleman yield?

Mr. LEWIS of Georgia. I yield to my colleague and friend, the gentleman from Texas.

Mr. DOGGETT. Mr. Speaker, I just wanted further clarification as to whether the plan remains that, as announced by the majority leader here about 10 days ago, that we would have essentially an open rule on the \$87 billion to assure that all Members could advance their ideas?

Mr. CANTOR. Mr. Speaker, if the gentleman from Georgia will continue to yield, I would say again to the gentleman that there are a variety of factors, as you know, that go into the rule which will govern the debate on the Iraq supplemental. As I said before to the gentleman from Georgia, there is historic precedent that will also serve as a guide. We will consult with the chairmen of the Committee on Appropriations as well as the Committee on Rules in ensuring that the issues are addressed in the rule.

Mr. DOGGETT. Mr. Speaker, if the gentleman will yield further, I appreciate that. I had planned to ask that question for clarification directly to the majority leader, but I understand he has really got great affection for my hometown of Austin and he has pretty much moved down there for the time being to try to reshape these districts.

Mr. LEWIS of Georgia. Mr. Speaker, reclaiming my time, on that note, let me thank the gentleman from Virginia.

MOTION TO INSTRUCT CONFEREES ON H.R. 6, ENERGY POLICY ACT OF 2003

Mrs. CAPPS. Mr. Speaker, I offer a motion to instruct.

The SPEAKER pro tempore (Mr. SIMPSON). The Clerk will report the motion.

The Clerk read as follows:

Mrs. CAPPS of California moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill, H.R. 6, be instructed as follows:

(1) The House conferees shall be instructed to include in the conference report the provision of the House bill (section 30215) that concerns consistency determinations under the Coastal Zone Management Act of 1972.

(2) The House conferees shall be instructed to confine themselves to matters committed to conference in accordance with clause 9 of rule XXII of the House of Representatives with regard to any offshore preleasing, leasing, or development moratorium.

Mrs. CAPPS (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from California (Mrs. CAPPS) and the gentleman from Texas (Mr. BARTON) each will control 30 minutes.

The Chair recognizes the gentleman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Speaker, I yield myself 5 minutes.

This motion does two things: First, it instructs conferees to include in the conference report House provisions concerning consistency determinations under the Coastal Zone Management Act. Under the CZMA, States can review projects, like offshore oil and gas development, which impact their coastal zones.

While a State can reject a project not found to be in its best overall interest, that rejection can still be appealed to the Secretary of Commerce. Currently, there is no limit on the time the Secretary can use to develop the record to make a decision in an appeals case.

During consideration of the energy bill, a bipartisan compromise to impose a reasonable time frame on this appeals process was developed and included in the legislation that passed in the House. The House should respect this bipartisan, commonsense compromise, and so should the conference committee.

Second, the motion instructs conferees to confine themselves to matters in the House bill regarding any offshore preleasing, leasing, or development moratorium. Mr. Speaker, you may remember during consideration of the energy bill, that the House agreed to a bipartisan amendment I offered with the gentleman from Florida (Mr. DAVIS) and the gentleman from Florida (Mr. MILLER). That amendment struck from H.R. 6 a provision to require a so-called "inventory" of oil and gas resources in the Outer Continental Shelf.

This inventory would be taken in areas of the OCS currently off limits to

any new drilling, which includes, and this is very important, any predrilling activities. These areas include the coastal areas of California, Florida, Oregon, Washington, Alaska's Bristol Bay, and the entire East Coast. The inventory language that was struck out of the House bill, unanimously, would have required seismic surveys and other invasive technologies in the OCS areas now off limits to new drilling.

Mr. Speaker, these are predrilling activities not permissible under current law. The House unanimously struck this inventory because it is a bad idea for the following reasons:

First, it is completely unnecessary. Proponents of the inventory are going to come to the floor, and they are going to tell us how important it is to know what resources are out there in the OCS. They are going to say we just want to know what is out there. The only problem with that argument is that we already know what is out there. The Minerals Management Service already conducts a survey every 5 years, and the latest assessment was done in the year 2000.

□ 1600

This assessment includes estimates of undiscovered oil and natural gas that is conventionally and economically recoverable. So if we know what is out there, why the inventory provision?

That brings us to the second reason this inventory is a bad idea. It is really just the first step in drilling in these areas now off limits. The inventory is an attempt to overturn the Presidential and congressional moratoria on new drilling in these sensitive coastal areas, and that is really what this is all about.

It is a push on behalf of the oil companies to start drilling in coastal areas of the United States where there is not a whole lot of oil and where tens of millions of our citizens have made it clear that they do not want any more drilling.

Mr. Speaker, a little history might be in order. In 1990, President George H.W. Bush announced an executive moratorium ending new drilling off California, Oregon, Washington, Alaska's Bristol Bay, Florida, and the entire east coast. President Clinton extend this action to 2012. Both actions were met with widespread acclaim by a public that knows how valuable, environmentally and economically, our coastlines are. And Congress has supported these actions for the last 20 years by restricting MMS from spending funds to support any new drilling or predrilling activities in these areas.

In addition, President George W. Bush endorsed both moratoria in his fiscal year 2004 budget. State officials, including Governors Jeb Bush and Christie Whitman, have endorsed the moratoria. The House has voted twice in recent years to stop new drilling in the waters off Florida and California.

So despite that, there is no need of an inventory since we know what is out

there. Despite that the House unanimously rejected the call for this unnecessary inventory, despite that the inventory violates long-standing moratoria enacted by Republican and Democratic Presidents, Republican and Democratic Congresses, and endorsed by the current Republican President, what are the energy conferees doing, they are putting the so-called inventory provision back into the bill.

That is why we are offering this motion to instruct, to send a message to the conferees that this inventory is an unnecessary and inappropriate addition to the energy bill, and it should be dropped. Coastal communities have spoken repeatedly in strong, bipartisan voices to protect their States' sensitive coastal resources and productive coastal economies. These areas are too economically valuable to risk with more oil drilling. It takes only one accident or spill to devastate the local marine environment and economy.

Last year, 67 Republicans and 184 Democrats voted to end new drilling off California. In that vote, the House demonstrated its commitment to protecting our vital coastal communities. A vote for this motion is the same thing, a vote to protect coastal areas from new drilling. We need to reject these attempts to weaken existing protections for our coastal waters. I urge support for this motion.

Mr. Speaker, I reserve the balance of my time.

Mr. BARTON of Texas. Mr. Speaker, I yield myself such time as I may consume.

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. Mr. Speaker, the motion to instruct filed by the gentlewoman from California (Mrs. CAPP) essentially seeks to prevent the outer continental shelf inventory from being in the energy conference report, and it seeks to keep an open-ended time line for the Coastal Zone Management Act to the Secretary of Commerce on consistency determinations.

Under the Coastal Zone Management Act, Congress declared it to be in the national policy to encourage the participation and cooperation of coastal States and Federal agencies, among others, in carrying out the purposes of the act, which are to preserve, protect and develop, and I would emphasize "and develop," the resources of the Nation's coastal zones.

Long ago, coastal States wishing to participate in coastal zone management of Federal activities affecting their coastal zones had to submit State coastal management plans detailing their enforceable policies to the Secretary of Commerce.

Thereafter, any Federal agency that processes an applicant's request for a Federal license or permit cannot grant the license or permit unless the State has concurred, either affirmatively or by failure to respond within 6 months of its receipt of the notice sent by the

applicant, with the applicant's certification that the proposed activity is consistent with the State's management plan.

Regulations by Federal agencies require that an applicant notify an affected coastal zone State of potential coastal impacts early in the application process. CZMA provides for an appeals process to the Secretary of Commerce by the applicant or on the Secretary's own initiative with comments from the Federal agency contemplating the application for a Federal license or permit if the coastal State does not concur that the proposed activity is consistent with the State's coastal management plan. This is current law.

CZMA does not authorize the Secretary of Commerce plenary authority to revisit every aspect of the lead Federal agencies' work in determining whether to grant a permit or license. Rather, CZMA addresses the determination that a proposed activity is consistent with the State's coastal management plan as approved and submitted by that State to the Secretary of Commerce.

All of that is to say that the CZMA contemplates the embedding of this process, the State process, in the lead Federal agency proceeding. The act does not suggest that sequential considerations would occur by each and every agency with the statutory obligation to weigh in on any given proposed project. In fact, the CZMA directs "the coordination of simplification of procedures in order to ensure expedited governmental decision-making for the management of the coastal resources." That is 14 U.S.C. Sec. 1452(2)(H).

Under current law, 16 U.S.C. 1465, on an appeal to the Secretary of Commerce concerning a consistency determination, the time line for action by the Secretary does not begin until the Secretary publishes a notice that the decision record has been closed. There is no set time for which the Secretary must close the record. Again, this is current law.

Section 325 of the conference draft merely sets forth specific time frames for which the Secretary of Commerce must act, and I emphasize must, on an appeal of a consistency determination within the context of CZMA by requiring, one, the Secretary has to publish an initial notice within 30 days of the filing of the appeal; number two, the closure of the record within 120 days from the date of publication of the initial notice which requires the publication of a notice stating the record is closed; and, three, the rendering of a decision by the Secretary within 120 days after the filing of the notice that the record has been closed.

This provision, again section 325 of the conference report, does not affect other statutes or the obligation of other agencies to carry out their statutory duties. It merely clarifies that full, substantive consideration of all

issues be undertaken in an efficient manner. It appropriately ensures that the Secretary of Commerce will consider any appeal of a consistency determination in a timely manner so that all concerned will have a certainty of a decision, and I would emphasize certainty of a decision.

Such a requirement is in keeping with the explicit goal of this Congress to fashion an integrated process of permit approval which weighs fully and comprehensively the competing concerns of all participants in a timely manner. This provision is not outcome determinative, but merely sets forth a time line for processing of one appeal in a regulatory process which involves various Federal agencies, each dealing with its own area of expertise.

As to the OCS inventory, the provision appearing in the conference draft, the provision merely states that "the Secretary of the Interior shall conduct an inventory." It does not say that the moratoria should be lifted or there should be drilling. It does nothing except to say there should be an inventory. This provision does not add anything new to existing law. The Secretary of the Interior has discretionary authority to do the inventory anyway.

I would assume and I would stipulate as a member of the subcommittee and the full committee, and also as a member of the conference that is now dealing with the other body, that we owe it to the Nation to know what our resources are so we can make informed decisions.

Mr. Speaker, I know that the motion to instruct from the gentlewoman from California (Mrs. CAPPS) is well meaning, but I really see no need for it, and I would hope that we would vote against it at the appropriate time, which I understand is next week.

Mr. Speaker, I reserve the balance of my time.

Mrs. CAPPS. Mr. Speaker, I yield 4 minutes to the gentleman from West Virginia (Mr. RAHALL).

Mr. RAHALL. Mr. Speaker, I rise in support of the motion offered by the gentlewoman from California (Mrs. CAPPS).

In my capacity as the ranking member of the Committee on Resources, I wholeheartedly join the gentlewoman in illustrating just one of the many outrageous and galling preemptions of due process which is part and parcel of how the energy bill conference is being managed.

The issue that the Capps motion raises is not something of a partisan nature. If a Member represents a coastal State, they should be concerned, whether Republican or Democrat, over what is taking place in this energy bill in conference. And Members should be especially concerned if their constituents support the Federal offshore oil and gas leasing moratoria that have long been applied to both the east and west coasts.

For what we are dealing with here is the proverbial camel's nose under the

tent. When this body considered the energy bill last April, an amendment was offered by the gentlewoman from California (Mrs. CAPPS), the gentleman from Florida (Mr. MILLER), and the gentleman from Florida (Mr. DAVIS) to strike a provision which would have required that an inventory be conducted of all oil and gas resources in the outer continental shelf, regardless of whether those resources fall within an area closed to oil and gas leasing by Presidential or congressional moratoria. That amendment passed by voice vote, and it passed by voice vote for a simple reason: if taken to a rollcall vote, it would have been approved overwhelmingly.

Yet today we find that this very same language has been slipped into the draft energy bill conference report. The question then occurs, who is responsible for this language reappearing. I asked the majority side: Who is responsible for this language reappearing? When the Capps-Davis-Miller amendment was offered to the House version of the energy bill last April, the gentleman from Florida (Mr. DAVIS) asked our colleague, the gentleman from Louisiana (Mr. TAUZIN), the chairman of the Committee on Energy and Commerce, point-blank whether it was his intention to support the reinsertion of this provision being removed at that time in the conference committee. In response, the gentleman from Louisiana (Mr. TAUZIN) said, and I quote, "It is not my intention to recommend the reinsertion of this language, no."

Page H3312 of the April 11, 2003, CONGRESSIONAL RECORD, it is right there. Indeed, the gentleman from Florida (Mr. DAVIS) posed the same question to the chairman of the Committee on Resources, the gentleman from California (Mr. POMBO). In response, the gentleman from California (Mr. POMBO) said, "No, we have no intention whatsoever of doing that." That is from page H3310 of the April 11, 2003, CONGRESSIONAL RECORD. It is right there.

So here we have the assurances of two powerful chairmen of two House committees with jurisdiction over the energy bill that this language would not reappear. But it has. Imagine that. It has reappeared.

So today we appeal to these two powerful chairmen to support the pending motion and to join us in doing battle with what must surely be the culprit, that other body.

To my colleagues, the language in question places at risk the offshore oil and gas leasing moratoria areas. Members cast a "yea" or "nay" vote on this motion on that basis. Members cast a vote on the same basis they did last year when during consideration of the appropriations subcommittee bill, the gentlewoman from California (Mrs. CAPPS) and myself offered an amendment to block development of some 36 oil and gas leases off the coast of southern California. That amendment prevailed with the support of 67 Repub-

licans joining 184 Democrats. We said then that California wanted the same protections that the President gave his brother, Governor Jeb Bush of Florida, when acceding to his concerns over a proposed lease sale in the Gulf of Mexico off that State's coast, lease sale 181, as I recall it.

So I say to my colleagues, today on this pending motion we are asking those on the other side of the aisle to owe up to their vote on the Capps-Rahall amendment to the interior appropriation bill last year; and to my Democratic colleagues, we are asking them to do what we have traditionally asked them to do, and that is respect the views of the American people. I urge support of the motion.

Mr. BARTON of Texas. Mr. Speaker, it is a great privilege to yield 2 minutes to the gentleman from Texas (Mr. GREEN).

Mr. GREEN of Texas. Mr. Speaker, after hearing my good friend and seeing my colleagues on this side, it is a little awkward; but I know in the district I represent and the State I represent, I rise in opposition to the Capps motion to instruct energy conferees.

The motion supports an amendment to the energy bill banning a study of our offshore energy resources. I call that our stick-your-head-in-the-sand energy policy.

Our Nation needs to be aware of the energy options. The energy bill has research funding and incentives for the development of fuel cells, solar power, and other renewable resources. So why can we not know much natural gas is offshore of our country? When natural gas prices are above \$5 per thousand cubic, we need to know what can be done about it. That is more than twice what our economy is used to.

Clean-burning natural gas is used to heat homes, generate power, and is feedstock for chemical and plastic manufacturing, and as fertilizer. There is not enough LIHEAP money out there to help all Northern consumers this winter. Power bills are going up and farmers cannot afford fertilizer.

Members all talk about the loss of our manufacturing jobs. The manufacturing jobs that are in danger on the Gulf Coast are petrochemical manufacturing jobs that are in danger of moving offshore in search of cheaper natural gas, which means more manufacturing jobs in this country, period. To set the right policy for our offshore areas, we need to know what is there. That is all this study asks for. We are not talking about commercial exploration offshore; we are just talking about government research.

□ 1615

Commercial exploration may come later, but at least we ought to know what is available. If we want less natural gas production and infrastructure, higher gas prices and more lost manufacturing jobs in this country, then let us continue to support this motion. If we agree that we are in a natural gas

price crisis where we do not have enough of this clean burning fuel at affordable prices, I urge opposition to the motion to instruct.

Mrs. CAPPS. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. ETHERIDGE), who cares a great deal about the North Carolina coastline.

(Mr. ETHERIDGE asked and was given permission to revise and extend his remarks.)

Mr. ETHERIDGE. Mr. Speaker, I join the gentlewoman in strong support of this motion.

This House needs to send a clear signal to the conference committee and the administration that we expect them to keep their promises regarding upholding the moratorium on drilling in the Outer Continental Shelf.

The moratorium on drilling in the OCS along the east and west coasts has a long history of bipartisan support as well as the Gulf and Florida. For more than 20 years, Congress has included language in the Interior appropriations bill that prevents the Department of Interior funding from being used for leasing, preleasing, and related activities in these OCS areas.

In 1990, the first President Bush signed an executive moratorium placing a 10-year moratorium on new leasing on the OCS. In 1998, that moratorium was extended and renewed by President Bill Clinton and extended until 2012. Even our current President included traditional legislation moratorium language in his budget request to enable continued protection of these OCS areas.

When the House considered H.R. 6 earlier this year, it included a provision that violated our bipartisan tradition of protecting the Outer Continental Shelf. This provision would have effectively overturned the moratorium by opening sensitive coastal and marine areas off the shores of my home State of North Carolina and the entire east and west coasts to exploratory drilling under the guise of conducting an "inventory."

This so-called inventory is merely the tip of an iceberg. And as icebergs conceal their true size under the water, so does this inventory conceal this author's true intent to force open the doors for future massive exploration and drilling in the OCS protected area.

Mr. Speaker, my State's pristine beaches are vitally important to our tourism, fishing, and transportation industries, as are the beaches of all of our States. North Carolina coastlines have often been used for the film industry. It is a beautiful environmental area, and it should not be violated.

The people of North Carolina do not want to wake up and see oil splashing on our beaches.

The people of North Carolina do not want to wake up to see oil on the beaches of Cape Hatteras or dying wildlife poisoned by split deadly crude on the shores and sounds. We want our coastline protected from such threats.

The House in its wisdom passed an amendment to remove the offensive inventory provision from H.R. 6, and the Senate energy bill does not contain a similar provision. But we should leave nothing to chance.

Let us make sure the will of the House of Representatives is honored in conference. Let's not let this iceberg cause a wreck that will lead to oil lapping up on the shores of the east and west coasts.

I urge all of my colleagues to vote in favor of her motion to instruct.

Mr. BARTON of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from Nevada (Mr. GIBBONS), the vice chairman of the Committee on Resources.

Mr. GIBBONS. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I rise in strong opposition to the Capps motion to instruct, and I rise in opposition on two bases. First of all, the Capps motion would prevent the Outer Continental Shelf inventory; and, secondly, it would prohibit section 325 from merely stating that the Secretary of Commerce has a specific time in which to act on an appeal of a consistency determination within the context of the CZMA, Coastal Zone Management Act.

Mr. Speaker, let me say that the energy bill conference draft does say that the Secretary shall conduct an inventory, and that is all. It does not say that the moratoria on drilling should be lifted. It does not say that there should be drilling. This conference draft does not add anything new to the existing laws. The Secretary of Interior has the discretionary authority to do the inventory anyway. Mr. Speaker, we owe it to this Nation, we owe it to the energy needs of the American people, to know what our resources are so that we can make informed decisions.

Let me talk a little bit about section 325. Section 325 of the proposed energy bill conference draft merely sets forth specific time frames for which the Secretary of Commerce must act on an appeal of a consistency determination within the context of the CZMA. It appropriately ensures that the Secretary of Commerce will consider any appeal of a consistency determination in a timely manner so that all concerned will have the certainty of a decision, and this provision is not outcome determinative but merely sets forth a time for the processing of one appeal in a regulatory process that involves various Federal agencies, each dealing with its own area of expertise.

Mr. Speaker, let me be literally free and take license with this comment, that inconsistency, lack of knowledge, and delay are the hobgoblins of the energy industry in America. We owe it to the Nation to put knowledge, consistency, and certainty into America's energy needs. I would urge all of my colleagues to vote no on the Capps motion to instruct.

Mrs. CAPPS. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. GEORGE MILLER) who him-

self worked out the bipartisan agreement with the chairman of the Committee on Resources on the CZMA.

Mr. GEORGE MILLER of California. Mr. Speaker, I thank the gentlewoman for yielding me this time and thank her for bringing this motion to instruct.

I simply do not get it. I do not get how the wildly unpopular idea of weakening coastal protection can be an issue in this energy conference. The House bill did not have this proposal to do an inventory off of our coasts. The House bill did not have language to lessen a State's right to protect its coastline from inappropriate development. Why then are we confronted with this situation? Because time and again Congress has voted to give States the rights to protect their coastline.

This is like the end of a bad movie. We have seen it before. In spite of our efforts, in spite of the States' efforts to protect their coastline, in spite of this Congress's efforts to reassure them the right to do that, we are now back to where we were with James Watt when he proposed opening the entire United States coastline to drilling. It was so unpopular, as my colleagues have pointed out, we have a moratorium on the coast that goes to 2012 put on by both a Republican President and a Democratic President.

And yet this administration wants to pursue it. It simply does not want to pursue it in the light of day. It wants to pursue it in a closed conference committee. It wants to pursue it where its critics cannot get to it.

So that is why we are here today with this motion to instruct, because we do not want this provision to pass. Those of us who care about the coastlines of our States, who care about the economies of our States, who care about the tourism in our States, who care about the natural beauty of our States do not want this legislation to pass.

This inventory, one can say this is just an inventory, but when we look at the connection between this administration and the oil industry and the Vice President and the oil industry and the President and the oil industry, and it goes on and on and on, this is not just an inventory. This is about opening the coast, and we do not want that to happen.

We know that California has opposed this time and time again. We know that the Floridians have opposed offshore development. The great State of New Jersey time and again has opposed this. Members of Congress from the Great Lakes States when they were under threat opposed this. Oregonians, Washingtonians have all opposed this effort. Why? Because they understand the real value of the coastline to our States, our constituents, and to our citizens.

But yet the Republicans continue to pursue this at the behest of the energy companies. We cannot allow this to happen. We cannot allow the oil and

gas industry to cut private deals inside this conference committee in spite of the directions of this House, in spite of the agreements that we made in the committee not to do this, to cut it because the oil industry is insisting that they do it.

This is an inventory that Governor Jeb Bush does not want. This is an inventory that the New Jersey delegation does not want, that the Florida delegation does not want. Certainly the California delegation on a bipartisan basis has made it clear they do not want it; and, in fact, the entire House of Representatives has rejected this.

And, as of today, our new governor-elect of the State of California has opposed this provision. He has come out against offshore oil drilling. He has come out for the protection of the California coast.

So on a bipartisan basis, on a bicoastal basis we are asking the Members to support the Capps' motion because the Capps motion is the means by which we can protect the great coastlines of this Nation.

Again, I want to thank the gentlewoman for offering this motion.

Mr. BARTON of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana (Mr. BUYER), a member of the Committee on Energy and Commerce.

Mr. BUYER. Mr. Speaker, with regard to this shortage on natural gas, it is rather stunning when people say there is a shortage in America with regard to natural gas. The stunning part is that, with regard to resources, it is there. The shocking part is that Congress, Congress, is the one who has created the barriers to access the natural gas. So what have we done?

I was a good listener over here. When the Democrats controlled the Congress, what did they do? They said, You know what we are going to do? We are going to make sure that we cannot gain access to the natural gas. All the offshore, they cannot gain access to that. We are also going to lock off lands in the West, and at the same time we are going to pass a Clean Air Act. We are going to set forth new requirements. We are going to move from coal and move to natural gas.

Then what we have in this country is an increased demand on natural gas while you decrease the access to it and get an increase and end up hurting manufacturers and sending jobs out. And that is what you want to do? You are scared to death to even find out what an inventory is with regard to our resources? We owe it to the country to know exactly what we have.

So I can see why Democrats here are holding on tight to the policies of old. That is exactly what Democrats will do if they gain control of Congress. They were not very good listeners to what happened in California. Those policies the Democrats screwed up in California, and they just threw out that governor. One needs to be a very good listener here as to what is happening to the energy policy for the country.

I am one that is not very satisfied with the conference. The gentlewoman from California (Mrs. CAPPS) is not happy with the conference because she wants to spin it into something else. I am not happy with the conference because I do not think they went far enough. I do not think they went far enough at all. We need to find out exactly what the resources are with regard to our country.

Everybody comes down here to the House floor, loves to give a great speech about reducing the dependency on foreign oil, but you do not want to do anything about it. You do not want to do anything about it.

"I got 100 percent voting record. I am green." Yes, you are green. Green is also being foolish. You are foolish if you do not want to even take a look and peek at what you have got with regard to the resources.

So I think the bottom line is vote against the gentlewoman from California's (Mrs. CAPPS) motion to instruct. I will reluctantly support what they have done at conference even though, with regard to our natural gas, I think the Energy and Air Quality Subcommittee is going to come back in the spring and we are going to have to address the natural gas shortage and take this on behalf of the American people. Otherwise, shame on us.

Mrs. CAPPS. Mr. Speaker, I yield 3 minutes to the gentleman from the great State of New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Speaker, I want to speak in support of the Capps motion.

Let me say from New Jersey we are a little sick and tired of the Federal Government trying to tell us what to do with our offshore resources. I remember I was first elected to the House of Representatives back in 1988, 15 years ago, and at the time we had all kinds of pollution. We had the sewage. We had medical waste. We had all kinds of garbage that was traveling up and down our coast. The fact of the matter is that we were not able to protect ourselves; and we had, I think, something like a \$3 or \$4 billion loss in our tourism industry that summer. All the beaches were closed. The number one industry in the State of New Jersey is tourism. All the beaches were closed, and tourism was dead.

So when I say that I want to protect my coastline and I do not want to the Federal Government coming in undermining our ability to say what Federal actions we do not support, we are speaking practically about what is important to our economy. We have seen the consequences of offshore drilling for oil and natural gas and what it has meant in other parts of the country and how it has destroyed the beaches and destroyed the water.

The Federal Government has already done a lot of analysis of this and has found there is very little oil and natural gas off the coast. The risk that comes from having to try to drill that

or exploit that or inventory that and what it leads to in the long run is great compared to the benefit and the destruction of our coast. If we had to balance the amount of oil and natural gas we are going to get compared to the negative impact on our coast and our tourism, there is no comparison between the two.

What the conferees are trying to do is basically undermine the rights of the States to protect themselves. That is what the consistency determination is all about. And the changes made in the conference reduce the time limit on the appeals process for consistency determinations to 120 days from the agreed-upon 360 days, thereby restricting States' ability to reject offshore drilling projects.

Whatever happened to States' rights? Republicans used to talk about States' rights. I guess it does not apply when big oil is there and the administration wants to let big oil do whatever they want to the States. Forget about States' rights. We do not talk about that anymore.

□ 1630

Furthermore, the conference has deleted bipartisan language that gave the Secretary the ability to extend the time frame for appeal should additional environmental analysis need to be completed in accordance with NEPA, the National Environmental Policy Act. What is wrong with extending the time, if it needs to be extended for environmental reasons?

Now, the biggest payback to big oil is this section 334 of the conference bill that requires the Secretary to conduct an inventory of oil and natural gas resources in the currently off-limit Outer Continental Shelf. Not only does this language sidestep the 13-year moratorium on granting new leases, but it completely ignores a bipartisan amendment in the House that removed the inventory language.

Now, I know you are going to tell me, well, we cannot override that, but that inventory language was put in on an annual basis. If one year it is not put in, then Mineral Management can go out and do whatever they please. If we do not put that language in every year for a moratorium, then Mineral Management can go ahead and do whatever they want. So it is not good to proceed and allow this inventory to take place.

Also, Mineral Management Service already compiles estimates of OCS oil and gas resources every 5 years, most recently in 2000.

This is nothing but an attempt to initiate the first phase of opening up our coastlines to oil and gas exploration. And do not tell me in New Jersey what you want to do with our coastlines. This is not what the Federal Government should do. This is the States' right, to determine what happens off their coast, and we know what the problem is in New Jersey, and we know what it is up and down the East Coast.

Mr. Speaker, I include for the RECORD a letter to the conferees from the New Jersey delegation, both Senators and most of our Members of the House of Representatives. I include this because I want to point out this is a bipartisan effort. Members of the New Jersey delegation, on a bipartisan basis, do not want these changes, do not want our State to be crippled and our ability to limit Federal actions which we do not want to happen.

I would ask again for support for this motion to go to conference. I thank the gentlewoman from California for introducing it.

CONGRESS OF THE UNITED STATES,

Washington, DC, September 30, 2003.

DEAR CONFEREES: We are concerned that a draft version of the omnibus energy bill may contain provisions that would be harmful to ocean and coastal environments. We want to underscore our opposition to the provisions listed below and strongly urge you to not to include any of them in the final bill.

Authorizing the inventory of sensitive coastal and marine areas around the United States for their oil and gas resources. Draft provisions would allow seismic explorations of Outer Continental Shelf (OCS) areas of the Mid-Atlantic, Gulf, West and Alaskan coasts that are currently protected from exploration and development by Congressional moratoria. This language was actually rejected by the House during debate on the energy bill, and was not included in the final Senate version. This language must be kept out of the final bill to ensure sensitive coastal areas can be protected from oil and gas development.

Granting sweeping new authority for interior to permit energy projects in the OCS without adequate oversight or standards. Draft language has been added that would grant substantial new authority to the Department of Interior to permit new energy projects including subsea pipelines and offshore Liquid Natural Gas facilities. The language fails to address the necessary environmental reviews required by existing statutes.

Weakening the Coastal Zone Management Act's (CZMA) consistency provision to remove states' rights and weaken environmental protections. Such a provision would impose severely restrictive deadlines on the decision-making process for states, agencies and the public to indicate their views on a consistency appeal. Congress has previously rejected this proposal in the reauthorization of the Coastal Zone Management Act, and we urge the energy conferees to reject such a provision in the final bill.

Exempting oil and gas industry construction activities from the Clean Water Act. These activities are known to cause tremendous water pollution problems, introducing toxics chemicals such as benzene, toluene, and heavy metals into our drinking water. It makes no sense to exempt these industries from the rules all other industries must follow.

Again, we underscore our opposition to these provisions in the final energy bill that would imperil our oceans and the nation's priceless coastal resources, and we urge you not to include them.

Thank you for your consideration of our views.

Sincerely,

Representative Frank Pallone, Jr.; Representative Rush Holt; Representative Donald M. Payne; Representative Robert E. Andrews; Senator Jon Corzine; Representative Bill Pascrell, Jr.; Representative Steven R. Rothman; Senator Frank Lautenberg; Representative

James Saxton; Representative Frank LoBiondo; Representative Christopher Smith; Representative Robert Menendez.

Mr. BARTON of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. SHIMKUS), the vice chairman of the Subcommittee on Energy and Air Quality, which I chair, of the Committee on Energy and Commerce.

(Mr. SHIMKUS asked and was given permission to revise and extend his remarks.)

Mr. SHIMKUS. Mr. Speaker, I am happy to get involved in this debate, although I have great respect for my colleague from California, and I understand and appreciate her position. But I would also hope that people would understand those of us who are involved in using natural gas products. Especially those States who use natural gas, you would think would not be adverse to locating it, identifying it, and exploiting it.

I was placed on the Speaker's Natural Gas Task Force in which we had numerous hearings across the country over the summer. Natural gas is an integral part of our manufacturing. In rural Illinois, natural gas plays a critical role in fertilizers, and we see a doubling of the cost of natural gas. That will be a trickle down effect on doubling the cost of everything. We just had reports out 2 days ago that the home heating costs will probably double across the country because of the doubling of the cost of natural gas.

Being from southern Illinois, we are the 11th leading oil producing State. I think people find that hard to believe, but we are. And we have been developing and producing oil in the State of Illinois for many, many years. And you know what? We use oil in Illinois. We use gasoline. We use natural gas. So we are not adverse to looking for, exploring and developing resources.

We have a gusher that was drilled in southern Illinois last year. Most Illinois oil wells are marginal oil wells, only producing about a barrel or a handful of barrels a day. This one has produced over 1,000 barrels with new technology. It drills horizontally, and it drills underneath a wildlife refuge, and it has brought \$1 million in additional revenue to the State of Illinois, at a time when revenues to States are sorely needed.

We know in Illinois that you can identify our natural resources. We know that you can identify them, you can catalogue them, you can research them, and you can drill for them and you can exploit them, and you can do it in environmentally sound ways.

I think the problem that many of us have in this energy debate is that we have folks in our country that want to be consumers of energy; they want to consume natural gas, they want to consume oil, they want to consume gasoline, they just do not want to produce it. They do not want to find the natural resources, they do not want to

harvest them and put them in the mainstream. They want to be takers and not be givers. That is really a problem, and that is why we have the crisis we have in natural gas.

Natural gas is a critical element in our society. It is actually making great strides in electricity generation. It is clean. Our peak power plants are running more than we ever thought they would. But to continue to say that we are going to put our areas off-limits, and we are not going to even identify where our reserves are of natural gas, is foolhardy. It is crazy. The average American citizen just will not understand when we are doubling the price of natural gas in this country, that we are not willing to even catalogue where our reserves are.

This should not be a difficult issue. This motion to instruct is definitely not needed, and I ask my colleagues to vote against it.

Mrs. CAPPS. Mr. Speaker, I yield myself 40 seconds to respond to some comments that have been made on the other side.

You have been saying that you just want to allow an inventory of oil and gas off our coasts; it will not hurt. But taking an inventory of what lies beneath the sea floor is not like taking an inventory of office supplies.

Looking for oil and gas off our coasts is an invasive process. The process itself carries risk. It harms marine life and can create serious environmental economic damage.

The language we struck from the House bill allowed exploration or drilling in part of the OCS. We already know, for instance, that 80 percent of the Nation's undiscovered economically-recoverable OCS gas is located in the central and western part of the Gulf of Mexico. This is MMS's most recent study to indicate this.

Mr. Speaker, I yield 2½ minutes to the gentleman from Oregon (Mr. BLUMENAUER) who represents the beautiful coastline of Oregon.

Mr. BLUMENAUER. By extension.

Mr. Speaker, the fact is that these energy reserves are not going away, whether or not we involve ourselves with this inventory now, and as the gentlewoman from California points out, acting now does, in fact, carry some potential risks.

But the bottom line is that some people, rather than dealing with a meaningful energy bill that would deal with global warming, vehicle efficiency, serious energy conservation and alternative energy development, they want to continue driving, looking through the rearview mirror.

The conference committee report would limit States' ability to participate in coastal planning decisions, undermining a bipartisan agreement on the Coastal Zone Management Act. The energy bill in conference now contains this provision that we have been talking about that undermines the long-standing, bipartisan agreement against the new oil and gas drilling in the

Outer Shelf, and we have referenced the fact that this refers to the States, including my own, that are adamantly opposed to it.

The House, as has been pointed out, passed an amendment to the energy bill specifically to remove the provision requiring this unnecessary inventory. The only reason to put it in now is that people want to move ahead with drilling.

Not only are we avoiding real solutions, we are now taking actions that can threaten the health of our oceans when they are dramatically imperiled right now.

We have just had the Pew Oceans Report documenting the problems that we are phasing in terms of the degradation of the environment of our oceans. Already 27 percent of the world's reefs have been destroyed over the course of the last 50 years. Another 30 percent are at risk of dying over the course of the next 50 years. These are the rain forests of the ocean, having dramatic diversity that is important to us.

People care about coastal areas, in part because they are moving there in droves. By 2025, approximately 75 percent of our population will be in close proximity to these coastal areas, and they care about those coastlines, because coastal marshes trap flood waters, filter out pollutants, serve as nurseries for wildlife, and they are disappearing at a dramatic rate of 20,000 acres per year. Louisiana alone has lost half a million acres of wetlands since the 1950s.

The only reason to reverse course at this point is people want more oil drilling. I would strongly suggest that we instead should be a leader in protecting our oceans. This sends the wrong message, goes against the will of the public and this House.

If you are against coastal drilling and for protecting coastlines and oceans, vote for the motion to instruct.

PARLIAMENTARY INQUIRY

Mr. BARTON of Texas. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman will state it.

Mr. BARTON of Texas. Mr. Speaker, we have no further speakers on our side, other than myself, to make whatever closing comments. Am I allowed to recognize myself more than once until I close?

The SPEAKER pro tempore. The gentleman is allowed to do that until he exhausts or yields back his time.

Mr. BARTON of Texas. I yield myself 1 minute.

Mr. Speaker, I would just like to point out that I understand the concerns expressed by my colleagues who are supporting the Capps motion to instruct, but I would point out that the environmental community in general opposes any oil drilling where it has not been drilled before. They oppose any natural gas drilling where it has not been drilled before. They oppose construction of nuclear power plants, generally. They oppose the construc-

tion of coal-fired power plants, generally. I am now told in one instance where there is an attempt to build a wind farm off the coast of Massachusetts, where there happens to be excellent conditions for wind power, they oppose that.

What do they support to give our Nation the energy resources we need to maintain a viable economy? It is okay to oppose things if you have a substitute for it. I have yet to hear the substitute for it. And the inventory simply gives us the opportunity to at least catalogue where those potential energy resources might be.

Mrs. CAPPS. Mr. Speaker, moving up the Pacific Coast, I am happy to yield 3 minutes to the gentleman from Washington (Mr. INSLEE).

(Mr. INSLEE asked and was given permission to revise and extend his remarks.)

Mr. INSLEE. Mr. Speaker, speaking in favor of the Capps motion, I would like to respond to the inquiry of my good friend the gentleman from Texas (Chairman BARTON) as to where other alternatives are.

I would point out that if our Nation had simply continued the rate of improvement in the mileage efficiency improvements that we had made in our fleet of vehicles through the seventies and the early eighties, if we had simply continued that rate of improvement to date, we would have avoided the need for any Saudi Arabian oil today.

If you want to remove the environmental community's objections to some of these new energy sources, some of which I believe we need over the long-term, why not remove their argument to say we have not done conservation first? Take that argument away. Do the conservation and efficiency in our transportation system, and remove that argument. I wish that would happen.

Secondly, I want to talk about this issue about doing the inventory for potential sources, to do a scientific assessment of our offshore. Normally, that would seem to make sense. Science is always good. Knowing more, I suppose, is intuitively is always better than knowing less.

The problem is that every single public policy decision that this administration has made, they have got science, and ignored it. On soot and clean air, they have got science, and they ignored it. They had science that it hurt our health to continue to pollute, but they ignored it. On global climate change, they had science, but they ignored it. On arsenic in the water, they had science, and they ignored it.

Do not come here now and say you need more science, when this administration has ignored science at every single environmental decision they have had to make today.

The third reason we need the Capps motion is this truly would be a radical departure from well-established American policy. I want to stand with the

Bush family in this regard, because George Herbert Walker Bush helped establish the moratorium on drilling offshore areas first established in 1982. He established a 10-year moratorium, then extended by President Clinton.

Governor Bush said, "In preserving Florida's unique marine resources" and "protecting Florida's coastline, by ensuring that the OCS inventory language is not included in the final energy bill."

□ 1645

We want to stand with Governor Bush and say that the Florida coastline is no less and no more important than the rest of the coastline of all of the other States represented by Governors who are not in the Bush clan. Let us pass the Capps motion and continue the moratorium.

Mr. BARTON of Texas. Mr. Speaker, I reserve the balance of my time.

Mrs. CAPPS. Mr. Speaker, I am happy to yield 3 minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Speaker, I thank the gentlewoman for yielding me this time.

This is a curious provision. It was not in the House bill, it was not in the Senate bill, but it miraculously shows up when the Republicans from the House and the Senate meet in secret somewhere here in the Capitol and the Cheney Task Force moved from the White House down here as an integral part of the plan, which neither the House nor the Senate voted for. That is just an incredible achievement.

At the same time, the Republicans are saying, we do not believe we can improve the fuel economy standards of SUVs or automobiles; we do not believe we can improve the efficiency of air conditioners; and, by the way, we put 70 percent of all of the oil which we consume in the United States into gasoline tanks; but the Republicans say, we cannot improve that technology. That is impossible. On air conditioners, we cannot improve that technology. That is impossible, even though during the summer, in all of the Southern States, the peak demand for electricity is 70 percent air-conditioning. We cannot improve that technology.

But what do they think they can do? Well, they think, rather than making ourselves more efficient so we consume less oil or consume less natural gas, they are going to go up the coastline of California, of Florida, of North Carolina, of Massachusetts to Georges Bank. I asked Secretary Norton 2 years ago when the Cheney Task Force first brought this measure up, I asked her if she planned on drilling off of Georges Bank and she said to me, where is Georges Bank? And I said to her, Madam Secretary, the people of New England hope you never find out where Georges Bank is, because we do not want you to be building these oil pumps off of our beaches, while telling the auto industry, the SUV industry,

the air-conditioning industry, they can continue to be less and less and less efficient. Of course we are going to have to drill off of beaches if that is the attitude, because the whole Republican philosophy is antitechnology.

And, by the way, the majority leader was very honest, very honest last week. He said that the Republicans have to hold on to drilling in the Arctic Wildlife Refuge, have to hold on to it because it will, "set a precedent" so that they can drill in other pristine areas, including off the coasts of our country. So it is an important precedent. We are not going to be a country, said the Republicans, that have increased efficiencies in our technology. They say, no, we are just going to continue to drill in places where Americans do not want oil and gas drilled for, because we do not have the nerve to take on the auto industry, the air-conditioning industry, or any other industry that is forcing our dependence upon imported oil from the Middle East.

Mr. BARTON of Texas. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I want to tell my good friend from Massachusetts that I am going to be rooting for the Red Sox on a bipartisan basis, and I hope that they hold on to the ball if it is hit to them and it does not dribble through their legs, so that we can finally get those Red Sox to the next stage in the process.

But in direct response to my good friend's question about where this idea came from, he is absolutely right. It was not in the House bill, the inventory, that is. It was not in the Senate bill. But when it got to conference, somebody had a better idea. A little light bulb when off in their head, and they said, why not do an inventory? Why not find out what is there, just in case? And the conference rules, as my good friend well knows, do not prohibit good ideas coming in, even if they have not been in the bill that came out of the House or the other body.

So that is why it is in there, and at least some of us think that it is a good idea.

Mr. MARKEY. Mr. Speaker, will the gentleman yield?

Mr. BARTON of Texas. I yield to the gentleman from Massachusetts.

Mr. MARKEY. Mr. Speaker, I thank the gentleman on a bipartisan basis, because this is a time for all of the other cities with losing histories in baseball to all band together and root for the Red Sox to end this terrible reign.

Mr. BARTON of Texas. Mr. Speaker, if I may reclaim my time, that is not the official Republican position; it is simply my position.

Mr. MARKEY. Oh, I understand that. I am talking about the bipartisan cities with losing baseball histories.

Mr. BARTON of Texas. Mr. Speaker, I do not want Yankee fans to get mad at the Speaker of the House who is probably rooting for the Cubs and things like that.

Mr. MARKEY. Mr. Speaker, this camaraderie that we can share on this one issue is hopefully one that we might be able to spread to other issues.

Mr. BARTON of Texas. We would certainly hope so.

Mr. MARKEY. Perhaps on oil and gas and other environmental issues as well, but at least on this one issue I do agree with my colleague that the New York Yankees are the oil and gas industry of the baseball industry.

Mr. BARTON of Texas. I would not go that far. I have to reclaim my time on that.

Mrs. CAPPS. Mr. Speaker, at this time I wish to enter into the RECORD in support of this motion a letter signed by 100 Members of Congress, bipartisan, in support of removing this kind of provision from the energy bill.

CONGRESS OF THE UNITED STATES,
Washington, DC, September 12, 2003.

Hon. PETE V. DOMENICI,
Chairman, Committee on Energy and Natural Resources, Dirksen Senate Office Building, Washington, DC

Hon. W.J. "BILLY" TAUZIN,
Chairman, Committee on Energy and Commerce, Rayburn House Office Building, Washington, DC

DEAR CHAIRMAN DOMENICI AND CHAIRMAN TAUZIN: As the Senate and House conference the omnibus Energy bill, we request that you maintain the longstanding bipartisan moratorium on new mineral leasing activity on submerged lands of the Outer Continental Shelf (OCS). In addition, we ask that a provision requiring the Secretary of the Interior to inventory the potential oil and gas resources of the entire OCS, including those areas now off-limits to new drilling, not be included in the final bill. Such a provision would seriously undermine current protections for these environmentally sensitive and economically important coastal and marine areas.

As you know, the House of Representatives spoke forcefully on this issue when it unanimously passed the Capps-Miller (FL)-Davis (FL) amendment to the Energy bill. This amendment removed language that would require an unnecessary "inventory" of resources on the OCS, including exploratory drilling in areas now under the OCS moratorium. This was the fourth time strong, bipartisan majorities in the House have come together in recent years to protect sensitive coastal areas from new drilling. In addition, the Senate passed version of the Energy bill did not contain this provision.

A comprehensive inventory of OCS oil and gas resources is inconsistent with the moratorium which currently exists in California, Florida and the Eastern Gulf of Mexico, Oregon, Washington, Bristol Bay, New England, and the entire Atlantic Coast. For more than twenty years, bipartisan legislative and administrative actions that have enhanced protection of moratoria areas from offshore oil and gas development. Beginning in 1982, the OCS moratorium on new offshore oil and gas activity of the OCS has been included in every annual Interior Appropriations bill. In addition, in 1990 President George H. W. Bush signed an executive memorandum placing a ten-year moratorium on new leasing on the OCS. In 1998, this moratorium was renewed by President Bill Clinton and extended until 2012. The proposed inventory would also contradict the moratorium contained in the President's budget to enable continued protection of the OCS. These actions have all been met with public acclaim and as necessary steps to preserve

the economic and environmental value of our nation's coasts.

Additionally, an inventory is not needed. The Minerals Management Service already compiles estimates of Outer Continental Shelf oil and gas resources every 5 years. In fact, the last one was completed in the year 2000, and includes estimates of undiscovered conventionally and economically recoverable oil and natural gas. We already know, for instance, that 80 percent of the Nation's undiscovered, economically recoverable OCS gas is located in the Central and Western part of the Gulf of Mexico, which is currently not subject to the moratorium. Therefore, it appears such a provision of this energy bill is duplicative and unnecessary.

Tourism is a major industry for coastal states and a staple of their coastal economies. The money spent by tourists pay the bills and put food on the table for the people living in these communities. Offshore oil and gas drilling directly threatens this economic engine and the people of these communities know it.

We urge you to protect our vital coastal communities by ensuring that provisions that would weaken the OCS moratorium on new drilling off our coasts are not included in the final Energy bill. Thank you for your prompt attention to this matter.

Sincerely,

Lois Capps, Jim Davis, Jim Saxton, Rosa DeLauro, Earl Blumenauer, Bob Etheridge, Chris Van Hollen, Anna Eshoo, Jeff Miller, Randy "Duke" Cunningham, Frank LoBiondo, Jim Oberstar, Peter Deutsch, Rahm Emanuel, William Delahunt, Katherine Harris.

Frank Pallone, Joe Hoeffel, Stephen Lynch, Adam Schiff, Lucille Roybal-Allard, Elton Gallegly, Steven Rothman, Carolyn Cheeks-Kilpatrick, Jim McDermott, Rush Holt, Gary Ackerman, Juanita Millender-McDonald, Pete Stark, E. Clay Shaw, Chris Smith, Lynn Woolsey, Peter DeFazio, Michael Honda, Grace Napolitano, Kendrick Meek, David Wu, John Olver, Ginny Brown-Waite, Brad Miller.

Brad Sherman, Barbara Lee, Diane Watson, Sam Farr, Susan Davis, Bob Filner, Xavier Becerra, Anibal Acevedo-Vila, Allen Boyd, Mark Foley, Michael Michaud, Tom Lantos, Maxine Waters, Nancy Pelosi, Mike Thompson, George Miller, Ellen Tauscher, Loretta Sanchez, Zoe Lofgren, Jim Langevin, Porter Goss, Dennis Cardoza, Robert Matsui, Jane Harman.

Tom Allen, Bill Pascrell, Maurice Hinchey, Carolyn McCarthy, Alcee Hastings, Jim McGovern, Louise Slaughter, Jerrold Nadler, Ed Case, Jan Schakowsky, Richard Neal, Ben Cardin, Nita Lowey, Dale Kildee, Jay Inslee, Bart Stupak, Tammy Baldwin, John Tierney, Robert Wexler, Corrine Brown, Carolyn Maloney, Ed Towns, Robert Menendez, Eliot Engel.

John Larson, Betty McCollum, Hilda Solis, Walter Jones, Patrick Kennedy, Howard Berman, Raul Grijalva, Barney Frank, Ric Keller, Linda Sanchez, Madeline Bordallo, Lane Evans.

The SPEAKER pro tempore (Mr. LAHOOD). The Chair would inform Members that the gentlewoman from California (Mrs. CAPPS) has 3 minutes remaining; and the gentleman from Texas (Mr. BARTON) has 10 minutes remaining.

Mr. BARTON of Texas. Mr. Speaker, I would be happy to yield 4 of my 10

minutes to the gentlewoman from California (Mrs. CAPPS), for purposes of control.

The SPEAKER pro tempore. Without objection, the gentlewoman from California will control 4 additional minutes.

There was no objection.

Mrs. CAPPS. Mr. Speaker, I appreciate that graciousness. As my colleagues can see, I have more speakers than the gentleman from Texas.

Mr. Speaker, I am very pleased to yield 2 minutes to the gentleman from Florida (Mr. DEUTSCH).

Mr. DEUTSCH. Mr. Speaker, Florida is the paradigm of where the economy is the environment. We have had a strong tradition of bipartisan support for that premise, and we have fought successfully now for decades to prevent the drilling off of our coast. The potential adverse effect both on the Atlantic and Gulf coasts would be monumental in terms of the potential adverse effects versus any potential gain.

That is why, again, through democratic administrations of Governors and Republican administrations of Governors, including the present administration, the President's brother, the effort has been united across the State to prevent this type of activity.

I obviously join with my colleagues and am somewhat surprised that, mysteriously, language that was taken out and, again, I keep repeating, in a bipartisan way. It is interesting, even though Florida is the fourth largest State in the country, we have the distinction of being the second largest Republican delegation in this Congress. I would be somewhat dismayed, and I wish that some of my colleagues, although I am sure just because we ended early are not here with us, because they have been leaders. This issue, as I said, is signed by all but one member. The gentleman from Florida (Mr. GOSS), the vice chairperson of the Committee on Rules, is one of the cosignatures.

Mr. Speaker, I urge the adoption of the motion, and I urge the Congress to take out this language before adoption of the bill.

Mr. Speaker, I will at this time submit for the RECORD a letter to the Speaker, the majority and minority leaders of the House and Senate signed by 24 of the 25 Members of the Florida delegation urging the Congress to take out the language that would set up this inventory.

CONGRESS OF THE UNITED STATES,
Washington, DC, September 30, 2003.

Hon. DENNIS HASTERT,
Speaker, House of Representatives, U.S. Capitol,
Washington, DC

Hon. WILLIAM FRIST,
Majority Leader, U.S. Senate, U.S. Capitol,
Washington, DC

Hon. THOMAS DASCHLE,
Minority Leader, U.S. Senate, U.S. Capitol,
Washington, DC

Hon. NANCY PELOSI,
Minority Leader, House of Representatives, U.S.
Capitol, Washington, DC

DEAR SPEAKER HASTERT, SENATE MAJORITY
LEADER FRIST, SENATE MINORITY LEADER

DASCHLE, AND HOUSE MINORITY LEADER
PELOSI:

We are extremely disturbed with certain language in the omnibus energy legislation, currently in conference, that would authorize the Secretary of the Interior to conduct inventories of Outer Continental Shelf (OCS) resources. The proposed inventory would make millions of acres of waters vulnerable to exploratory activity, including waters in the Gulf of Mexico that have been protected by the long-standing moratorium on drilling off the coast of Florida. This would be disastrous to our State.

We were pleased when the House removed the OCS inventory language from its version of the Energy bill. However, despite our clear and unified opposition, OCS inventory language has reemerged in the current draft of the Energy Conference Report. Due to the importance our constituents place on protecting Florida's shores, it would be difficult for our delegation to support an energy bill that includes any language authorizing an inventory of OCS resources.

One of the stated purposes of the OCS inventory is to "lead to additional Outer Continental Shelf leasing and development." We believe this language illustrates the dangerous implications that the OCS inventory would have for Florida: it would invite precisely the drilling activity that the long-standing moratorium intends to prohibit. The language would greatly compromise our State's ability to safeguard our natural resources and vibrant tourism industry, and would set the current OCS policy badly adrift.

The prohibition of OCS drilling has been a national priority for over twenty years. As you know, Congress led the way by passing the first moratorium on OCS leasing in 1982, which was soon extended to waters throughout much of our nation's coastal areas. In 1990, President Bush continued this effort by placing a ten-year moratorium on new OCS leasing, which was extended to 2012 by President Clinton. Florida's delegation has been a major part of the broad bipartisan commitment to keep most of our waters free of further exploration and exploitation. To protect this well-established priority and the interests of the state of Florida, we are dedicated to ensuring that this commitment is not abandoned or compromised by this Congress.

Opposition to OCS drilling is particularly strong in our State, due to the potentially devastating consequences it could have for our economy, natural resources, and quality of life. This resolve was confirmed by Florida's reaction to President Bush's proposal to develop lease sale 181 area, which was ultimately withdrawn in the face of stern opposition from Floridians. Our pristine beaches and waterways represent our best and most distinctive qualities and attract millions of visitors from across the country and the world every year. Our natural habitats, particularly our marine life, represent some of the richest and most diverse ecosystems in the world. The quality of life enjoyed by Floridians is due to large part to these natural endowments, which has made our state one of the most desirable places in the country to live and work.

We ask for your help in preserving the national commitment to our unique marine resource in the waters of our state throughout the country. We cannot allow the OCS moratorium protecting Florida's waters to be undermined by this legislation. We urge your support in our effort to ensure that the OCS inventory language is not included in the final energy bill.

We appreciate your prompt attention to this very important matter.

Sincerely,

Congressman Porter Goss; Congressman
Jeff Miller; Congressman Jim Davis;

Senator Bob Graham; Senator Bill Nelson.

Mr. BARTON of Texas. Mr. Speaker, I reserve the balance of my time.

Mrs. CAPPS. Again, I thank my colleague from Texas for being so generous with his time.

Mr. Speaker, I am happy to yield 2 minutes to the gentleman from California (Mr. FARR), my neighbor on the California coast and a strong advocate in this arena.

Mr. FARR. Mr. Speaker, I thank the gentlewoman for yielding me this time.

I rise today in strong support of the Capps motion to instruct conferees on the energy bill. Basically, this assessment of the oil and gas mineral deposits out there, one does not need to be done because it has already been done. I know from the leases that they have all done, the lease companies have submitted their preferences all along the California coast. The information the Federal Government wanted it has already gotten.

But that is not the issue. The issue is why would we do this in the first place, and why would we do it if we already have the information? Why would we do it is like saying, well, let us go out and see what the value is of developing subdivisions in our national parks, or taking the national Mall here and saying, what would be the potential for development along the Mall? Why would you want that information, unless that is what you are going to do?

Now, both Presidents Bush and Clinton have put oil and gas moratoria on the California coast. This legislature, for years and years, Congress has passed prohibitions on allowing the Minerals Management Agency to go further in offshore development. I mean, there has been a clear sign that we do not want to do that. We do not want to go there. We do not want to do that. So essentially this gives the wrong message to everybody: oh, we are going to collect the information because although we do not want to do it, maybe we want to do it. That is a waste of taxpayers' money, it is a waste of time, and, frankly, it is very discouraging for the civil servants who have to go out and get this information.

Lastly, it is just the wrong thing to do. If we are going to assess that, why do we not assess whether there is oil under the National Cathedral or under the United States Capitol or under Yosemite National Park or places like that. Because, indeed, with our national marine sanctuaries we have already said we are not going to allow drilling in those sacred spots.

Mr. BARTON of Texas. Mr. Speaker, I yield myself such time as I may consume.

We have had a good debate on the floor, Mr. Speaker. I would point out that there are two parts to the Capps motion. The first part is to reinsert some language dealing with time lines for filing amendments to the Coastal Zone Management Act permitting

process. That would actually give something that is not available under current law. So I would oppose the Capps amendment on the first part because of the open-ended nature of that particular procedural aspect of it.

On the second part of the Capps amendment that deals with this inventory, you can make an argument, if we were self-sufficient in energy resources in this Nation and were not importing almost two-thirds of our oil, and we are now importing 10 percent of our natural gas, that one would not need to do an inventory because we had such abundance that we did not need to know what our energy resources were. But that is not the case. We are importing over 60 percent of our oil needs on a daily basis, and we are now importing over 10 percent of our natural gas needs. We simply cannot continue, in my opinion, the policy of only drilling where we have always been drilling.

The inventory is not an open-ended change in current law so that we could go out and drill willy-nilly in all of these areas that we have put off limits, but it does say we can find out what is there. That is good public policy. If we found that there was a tremendous energy resource where we have not been drilling, we would still have all of the procedural protections at the State level and the Federal level to make an informed decision on whether to drill that resource or not, but at least we should be able to determine what is there.

So while I totally understand my colleagues from the affected States that, for whatever reason, feel like they should not allow this inventory to go forward, I cannot understand from a national perspective that we oppose just the mere fact of inventorying our natural resources, because one cannot make an informed decision about what to do if one does not know what one has.

So I would hope that we would vote against the Capps motion to instruct so that this little part of the energy bill would go forward, and we could do the inventory.

Mr. Speaker, I yield back the balance of my time.

Mrs. CAPPS. Mr. Speaker, I yield myself the remaining time.

In closing, I want to take a few seconds to underscore what this word "inventory" really means. It sounds innocuous; it sounds harmless. But surveying of the outer continental shelf would result in millions of seismic cannon blasts in our coastal waters from testing vessels. Research has found that an average modern 3D seismic survey requires a blast every 25 meters or every few seconds as a ship, a vessel that is surveying, cruises along. Calculations based on this rate of seismic blast find that it would take at least 285 million seismic blasts to inventory the outer continental shelf. The total cost of such a survey could approach \$50 billion for the entire OCS, not including costly analyses to actually find potential oil and gas deposits.

□ 1700

These estimates come from discussions with MMS officials and survey companies. So my question, again, why does the Congress want to waste taxpayers' money on a duplicative process, inventory of areas off limits to oil and gas exploration?

Mr. Speaker, as the list of our speakers and co-sponsors of this motion indicates, these issues are by no means regional or partisan. By allowing this harmful language in the energy bill, our coasts will be threatened, commercial fishing jobs will be at risk, tourism will be at risk, States' economies will be threatened, and the beauty of our coastline will be seriously undermined. That goes for every single coastal State.

The House has shown wisdom in removing the inventory requirement. I ask the conference committee to do the same. We should be seeking long-term solutions that make sense for energy development and that balance environmental protection and economic growth.

The provisions to roll back the moratorium on oil and gas drilling in the Outer Continental Shelf and to weaken the States' rights under the Coastal Zone Management Act fall far short of a balanced approach.

So I urge my colleagues to support this motion, to stop an attack on the laws that protect our sensitive coastal and marine areas.

Mr. GOSS. Mr. Speaker, we in Florida are deeply troubled by the OCS inventory language currently under consideration in the energy bill conference. This language was already firmly rejected once by this body, and I believe we should make it well known that we will reject it again if it returns to this Chamber.

The prospect of an "inventory" of OCS resources, specifically in the Gulf of Mexico, poses a direct and detrimental threat to our coastal areas in Florida. It looks like a badly disguised attempt to re-open our coastal waters to drilling. In fact, it is the latest move in a long series of clever distractions that try to mask what it really is: a relentless effort to undermine the long-standing OCS moratorium and expose our coastal communities to the dangerous and disastrous repercussions that oil drilling can often bring.

This is an insult to the Members of Congress who voted the inventory language out of the House version, as well as to our constituents in Florida. In our State, we have a particularly strong interest in protecting our shores and beaches from unnecessary threat. We are blessed with beautiful beaches and coastal areas that provide extraordinary benefits to Floridians and millions of other Americans who visit. Over 80 percent of our State's population lives in coastal communities. These beaches and coastal areas are an indispensable part of the great character and quality of life we have in Florida.

Almost two-thirds of all economic activity in the State occurs in coastal counties; much of that is tied to tourism, which is a vital part of the Florida economy.

Our fight for a moratorium on offshore drilling in our part of the Gulf of Mexico has offered protection for over two decades. We are

firmly committed to maintaining that protection. The OCS moratorium enjoys broad support, both in Florida and throughout the country, and since the moratorium cannot be overturned outright, opponents look for other, more subtle ways to overcome it. This inventory proposal is a perfect example of that strategy.

I believe we must strongly defend and preserve the moratorium on offshore drilling by rejecting all attempts to weaken it. It is a top priority for Florida, as well as other coastal States. I urge my colleagues to support this motion to instruct, to reject this transparent attempt to circumvent the protections we have worked hard to set and keep in place.

Mr. DELAHUNT. Mr. Speaker, today we have a choice. Do we allow states to continue to determine the future of our coastal zones or do we allow the Federal government to manhandle local interests?

The issue at stake is the consistency provision of the Coastal Zone Management Act (CZMA) which was debated and passed by a bipartisan majority of Congress in 1990. "Consistency" dictates that Federal projects must be consistent with state management plans and is the heart of the CZMA.

Today this provision is under attack from those who want to use the energy bill to circumvent the legislative process and weaken the role of states. As discussed by my colleagues, energy bill conferees now seek to disregard the bipartisan compromise on consistency passed by the House and insert a new provision at the eleventh hour. This new measure would severely limit the ability of states to appeal a project in their coastal zone by curtailing the process and timeline by which states can challenge Federal decisions. Consistency is the tool that localities use to prevent the siting of inappropriate projects by the Federal government. Any attack on consistency is an attack on the power of the states. I'm sure the irony of Democrats being the ones to remind energy conferees on the importance of state input is not lost on my colleagues.

The battle over consistency is particularly relevant to my state of Massachusetts and to the area of Nantucket Sound which I am proud to represent. Some months ago, developers proposed building a 170-tower wind farm spanning 25 square miles in Nantucket Sound. This proposal set off a firestorm. Since then, issues of ocean governance and new policies for renewable energy in the marine environment have dominated our newspapers, our fishing piers and our town halls. I have opposed the Nantucket Sound project, not because I oppose renewable energy, but rather because I believe that we must have sensible policies in place before the Federal government starts issuing permits for such large projects.

There is currently no Federal policy governing the development of off-shore renewable energy facilities. In fact this very issue is another controversial part of the pending energy bill. The Administration would like to give the Mineral Management Service full discretion over all energy projects on the Outer Continental Shelf while conservationists and others support my legislation to promote off-shore renewables with strict safeguards for the marine environment and public safety. Although the debate over the process and lead agency has yet to be resolved, the Nantucket Sound project is still moving ahead.

The proposed project is undergoing environmental review by a variety of Federal agencies but without Congressional authorization and without a coherent process to protect marine resources. A private developer is taking advantage of the lack of Federal authority and seeking to use public resources without any guaranteed benefit to the public. Given this lack of Federal policy, consistency becomes all the more critical as it is the only way states can have a voice in decision making.

Under current law, states do have a voice. The Coastal Zone Management Act stipulates that states can review projects which impact their coastal waters and appeal a project that is inconsistent with its overall interests. Currently there is no limit on the time the Secretary of Commerce can use to develop the record to make a decision in an appeals case. The oil and gas industry complains that this leads to unnecessary delay and increased projects costs. Industry proponents are using the energy bill conference to insert a provision that closes the record in 120 days and provides no grounds for any extensions.

This measure is a direct attack on consistency. And as the Nantucket project illustrates, consistency may be the only way local interests are protected. For this reason, I hope you join me today in affirming the right of states to determine their future and support the Capps/Miller motion to instruct.

Mr. DAVIS of Florida. Mr. Speaker, Florida's white sand, clear waters and gorgeous sunsets have truly become not only a treasure for our State, but a treasure for our Nation and the millions of tourists who visit Florida's beaches every year. Today, Floridians, Californians, the people of the Great Lakes and the Eastern Seaboard are asking for your help to preserve these treasures for our children and grandchildren. Florida's beaches are again being threatened by plans to commence with an inventory of all lease sale areas, including those that are currently under moratorium until 2012.

As our colleagues will recall, the House unanimously removed language calling for an inventory of all OCS lease sale areas from the final version of the House Energy bill this past April. However, despite our clear and strong position in the House and omission of the provision in the Senate version, the OCS inventory provision has reemerged in the current draft of the conference report. I believe it is important to send a unified message that this House will not fall to the will of a few behind the scenes and we will not allow the OCS moratorium to be weakened by the inventory language in the draft of the Energy bill Conference Report. Once again, the coasts are being threatened and the House must state its will to the Conferees by voting for the Capps Motion to Instruct.

It is my hope that both the Chairman of the House Committee on Resources and the Chairman of the House Committee on Energy and Commerce will abide by their promises made on the floor during debate on the House Energy bill. I urge my colleagues to support the Capps Motion to Instruct once again to remove the inventory language from the Energy bill.

One of the stated purposes of the OCS inventory is to "lead to additional Outer Continental Shelf leasing and development." The estimated cost for the inventory exceeds \$49 billion, not to mention that a single offshore rig

emits the same quantity of air pollution as 7,000 cars driving 50 miles per day. Floridians have continually fought to keep these activities off of their shores and we are appalled by the amount of government waste attributed to these inventory activities. The inventory language is a blatant attempt to sneak these rigs into our economy and way of life.

Recently, I was joined by 100 of our colleagues in sending a letter to the House and Senate Conferees opposing the inclusion of this language. Soon afterwards, both Senators from Florida and 24 of the 25 Floridians in the House signed onto a letter to the Leadership expressing our unified opposition to this language. I hope that today you will join us in this fight and vote to instruct the conferees to withdraw this language.

Mrs. CAPPS. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. LAHOOD). All time has expired.

Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentlewoman from California (Mrs. CAPPS).

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mrs. CAPPS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, and the Chair's prior announcement, further proceedings on this motion will be postponed.

MOTION TO INSTRUCT CONFEREES ON H.R. 1308, TAX RELIEF, SIMPLIFICATION, AND EQUITY ACT OF 2003

Mr. CROWLEY. Mr. Speaker, I offer a motion to instruct.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. CROWLEY moves that the managers on the part of the House in the conference on the disagreeing votes of the two Houses on the House amendment to the Senate amendment to H.R. 1308 be instructed as follows:

1. The House conferees shall be instructed to include in the conference report the provision of the Senate amendment (not included in the House amendment) that provides immediate payments to taxpayers receiving an additional credit by reason of the bill in the same manner as other taxpayers were entitled to immediate payments under the Jobs and Growth Tax Relief Reconciliation Act of 2003.

2. The House conferees shall be instructed to include in the conference report the provision of the Senate amendment (not included in the House amendment) that provides families of military personnel serving in Iraq, Afghanistan, and other combat zones a child credit based on the earnings of the individuals serving in the combat zone.

3. The House conferees shall be instructed to include in the conference report all of the other provisions of the Senate amendment and shall not report back a conference report that includes additional tax benefits not offset by other provisions.

4. To the maximum extent possible within the scope of conference, the House conferees shall be instructed to include in the conference report other tax benefits for military personnel and the families of the astronauts who died in the Columbia disaster.

5. The House conferees shall, as soon as practicable after the adoption of this motion, meet in open session with the Senate conferees and the House conferees shall file a conference report consistent with the preceding provisions of this instruction, not later than the second legislative day after adoption of this motion.

Mr. CROWLEY (during the reading). Mr. Speaker, I ask unanimous consent that the motion to instruct be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from New York (Mr. CROWLEY) and the gentleman from California (Mr. HERGER) each will control 30 minutes.

The Chair recognizes the gentleman from New York (Mr. CROWLEY).

GENERAL LEAVE

Mr. CROWLEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this motion and insert extraneous material thereon.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CROWLEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today I am offering a motion to instruct conferees on the child tax credit.

Mr. Speaker, while many of my colleagues continue to believe that higher deficits and more tax cuts for the rich are the way to end this Bush recession, let us look at the facts.

Since the beginning of the Bush administration, America has seen the loss of over 3.3 million jobs, of which 2.5 million have been in manufacturing. Moreover, taxes on working families have gone up. This is via interest rate increases that makes your monthly mortgage payments higher and increases your monthly car payments.

The national deficit has soared to almost half a trillion dollars this year and is increasing. And what are you getting? Your tax dollars are paying over \$300 billion this year alone on interest on the Bush tax cut for the rich.

Finally, Democrats, working with Senate Republicans, put forth a bill to give working families a real tax cut: an extension of the child tax credit. The Republicans oppose it. They are opposing a tax cut on working families.

The people missing out on this tax cut include 6.5 million working families and their 12 million children who are struggling to make ends meet. One in five of these children are from active duty military families, making even a Republican Senator from Arizona who, by the way, ran for President just 2

years ago, to say, and I quote, "I don't understand how you, the Republican leadership and the President, left enlisted men and women out of this tax package. I do not get it." End quote.

Additionally, this bill will disproportionately penalize African American and Hispanic children. Mr. Speaker, 2.4 million African American children and 4.1 million Hispanic children's families deserve this tax cut, but the Republican party refuses to give it to them, preferring tax cuts for millionaires and big business, this according to the Children's Defense Fund.

This Republican tax package ignores the needs of working families; and by ignoring 6.5 million working families, it will have a devastating impact on these families and the children across our country. It will have a particularly devastating impact on Latino and African American families, those suffering some of the worst brunt of this Bush recession.

We see 3.3 million U.S. jobs disappear in America since January of 2001. We see the unemployment rate for African Americans at 11.2 percent of the population. We see the Hispanic unemployment rate at 7.5 percent.

On top of that, this most recent tax bill for the rich cut out child care tax benefits for the poorest children in America whose parents are working, not on welfare as the Republicans would have you believe, but are working people who can barely keep their head above water, thanks to the economic nightmare cast on America by this Republican party and President Bush.

These are people struggling to provide for their families, and this Republican Congress refuses to fix it. Republicans are holding America's working families hostage by opposing any legislative remedy to help working families and instead by offering another huge tax cut for the richest 1 percent of Americans.

Again, I believe it is shameful to be offering tax cuts to the rich while cutting benefits for the working poor, cutting benefits for our veterans, cutting benefits for seniors on Medicare, and allowing millions of American jobs to disappear since President Bush and Republicans began to set economic policy almost 3 years ago.

President Bush's economic plan has failed the American people who should be some of the most cherished members of our society, our veterans, working families, and innocent children. President Bush's economic plan does more than ignore these groups. In my opinion, and many other people's opinion, it hurts them.

As the Disabled American Veterans wrote in a letter to Speaker HASTERT and the Republican Party earlier this year during consideration of the Republican budget, which mandated massive cuts in veterans' programs, Disabled American Veterans asked, "Have you no shame?" They were speaking to the Republican Party. Today I ask that

same question on behalf of the working families of my district, the Bronx and Queens.

The child tax credit bill passed by this Republican House leaves children and families in my district behind, particularly families of color. Families earning between \$10,500 a year and \$26,625 a year are excluded from claiming the child tax credit increase. What does this mean for Latino families? Half of all Latinos report having an annual household income under \$30,000. Half of all Latinos report having an annual household income under \$30,000. The House Republican child tax credit plan means most of these Latino families will be excluded, will be excluded from the child tax credit. It means that approximately 1.6 million or 30 percent of the eligible Latino families who might have otherwise benefited from the increase are being left out. This is on top of the fact that the Bush economic plan means more Latinos are out of work.

Moreover, Latinos have a faster-rising unemployment rate than the general population. As of this summer it was 7.5 percent compared to roughly 6 percent for the average American. This is on top of the fact that the Bush tax cut on dividend income affects only 7 percent of Hispanics who own stock.

Latinos in my district want to work, and they want to do what they can to provide good futures for their children. But many Latinos in my district are working in low-wage jobs or, thanks to the number of full-time jobs lost, are only working part time. They are being left out of the Bush tax credit.

President Bush's priorities are clearly not working for Latino families, and they are clearly not working for African American families either. African American families are among the hardest hit by the Bush tax plan and the House Republican child tax credit.

About 932,000 African American children under the age of 18, according to the Children's Defense Fund, live in extreme poverty. Given our economy, it is unfortunately not surprising that this statistic represents a 50 percent increase since 1999.

African American families, like Latino families are disproportionately left out of the Bush child tax credit. African American unemployment is rising to above 10 percent. Those who are eligible to find work are often barely getting by.

These are the families that need the child tax credit the most, and yet these are the families that the Republicans and this President are leaving out. A family earning \$20,000 with two children is being overlooked by President Bush in favor of the family earning \$200,000 a year who does not necessarily need the child tax credit. Yet a family earning \$20,000 is the family that sincerely needs a \$400 child tax credit. That credit would be equivalent to a 4 percent raise in pay. But that tax credit does not exist under President Bush's plan.

President Bush's priorities are not the families that need the tax credit the most. President Bush continues to ignore the voices of Latino and African American families. Our national debt increases, our debt limit increases, and President Bush continues to increase tax breaks for those who do not need them. And I believe and all of this side of the aisle believe that that is wrong.

Mr. Speaker, I reserve the balance of my time.

Mr. HERGER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman from New York (Mr. CROWLEY) apparently has not read the House-passed bill. The House-passed bill is the same as the motion to instruct in the treatment of low-income families. Both accelerate the refundability of the child tax credit effective this year, exactly the same as the motion to instruct.

Mr. Speaker, I rise in opposition to the motion to instruct offered by the gentleman from New York (Mr. CROWLEY). We all agree that changes need to be made in the child tax credit. The legislation passed by the House earlier this year, legislation that passed by voice vote, by the way, makes a number of beneficial changes to the child tax credit. For example, the House legislation will ensure that child credit remain at \$1,000 per child through the year 2010. Under current law, the credit is scheduled to be reduced after 2004 resulting in a tax increase on American families. I hope we can all agree to keep the credit at \$1,000.

The House bill also eliminates the marriage penalty in the child credit. Eliminating this marriage penalty will provide more than \$20 billion of tax relief to middle-income families over 11 years.

The House bill enhances tax fairness for the members of the U.S. military who risk their lives to defend our freedom by granting capital gains relief on home sales, making death gratuity payments tax free, and other important provisions.

Perhaps of most interest to those who are supporting the motion, the House bill increases the amount of the child tax credit that is refundable from 10 percent of income over \$10,500 to 15 percent of income over this amount. Our bill would make this increase effective this year.

The motion to instruct, on the other hand, would reduce the child tax credit for millions of children. It would allow the child credit to drop from \$1,000 per child to \$700 per child.

□ 1715

The motion to instruct does not eliminate the marriage penalty in the child credit until 2010 and then it only does so for 1 year.

Under this motion to instruct, millions of children will be denied the child credit simply because their parents are married. The House bill benefits middle-income families by eliminating the marriage penalty in the child credit immediately.

Finally, let me make clear that the House passed bill does not, I repeat, does not deny the child credit to military families. Military families, including those who are deployed abroad, are already receiving a refundable child credit and will continue to receive a refundable child credit under the House bill.

The motion to instruct would use a different definition of the income when determining the child credit, thus increasing the child credit for some military families. But I would note that this definition of income is different than the definition of income recommended by the prior administration, a Democratic administration. In fact, the current definition of income, as proposed by the Clinton administration, was enacted in the law in order to simplify the program and limit the potential for fraud and abuse.

So let us be clear. The House bill provides more tax relief to military families because it includes \$806 million in military tax benefits that are not included in the motion to instruct.

Mr. Speaker, we should support the very worthy legislation passed by this House and reject the motion to instruct.

Mr. Speaker, I reserve the balance of my time.

Mr. CROWLEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I will point out that I think my colleague is euphoric over the victory yesterday of his party and the election in California. I know perfectly well what bill is before this House, what bill passed this House. I know that at that desk is a bill from the other body that is a clean bill, that will not cost any additional money above and beyond what the Senate has asked for to pay for the tax cut for the 6.5 million poor people that we are talking about that deserve and need this tax cut.

The bill that passed this House will cost an additional \$80 billion and support the wealthiest 1 percent in this country. I was very clear in my statement about that. I know what bill passed this House. I voted against that bill. I will support, and I would ask the gentleman if he will go to our leadership and bring down to this floor a bill that we can all support. The gentleman said it himself, he does not necessarily disagree with me that these 6.5 million people should get this tax credit, but he wants to pass a bill that will also tag on additional billions of dollars, increasing our national debt, an additional \$80 billion to support the wealthiest 1 percent in this country. I think that is unconscionable.

But, then again, in California we can look at the job loss rate. Since this President took office, they have lost 361,000 jobs in that State. I wonder if we ask any of the 361,000 people, who probably will not be eligible now for a child tax credit under their bill, whether they think this bill should pass or not.

Mr. Speaker, I yield 4 minutes to the gentleman from Washington (Mr. INSLEE).

(Mr. INSLEE asked and was given permission to revise and extend his remarks.)

Mr. INSLEE. Mr. Speaker, in thinking about the context of these bills, I imagined how we would react if a politician pulled up next to a third grader getting out of school ready to traipse home, came up to the third grader and said, I am taking your lunch money unless I get my new tax break at over \$200,000 income, and I am not giving you your lunch money for tomorrow unless I get my tax break, because that is what the Republican position is on this bill.

The Republican House position on this bill is that unless these higher-income individuals get an additional tax break on top of the millions of dollars they have already got, that little Johnny does not get his lunch money, and his parents do not get the child tax credit break that they have coming to them.

We have a bill right here that will get unanimous approval to give this child tax credit to the people who deserve it, but they will not give it to him because they are holding these children hostage. And it is not a pretty sight from either side of this aisle. And when we think about the children who are subject to this, I want to make sure we know who these kids are and who their parents are: 178,000 are children of farmers, good folk; 567,000 are children of nurses or orderlies taking care of our families; 337,000 of them are teachers; and 262,000 are children of personnel, many of whom are serving in Iraq and Afghanistan today.

But I want to make sure the record is really clear, the Republican party is telling the Army, for example, in Iraq today that their children do not get a tax credit unless the millionaires of America get another tax break for their income. And when you come home, you will be coming home to an America where your kid still does not get a tax credit unless our millionaire buddies who participate in the political process get their tax break first.

That is not the message I want to send. That is not the message the Democratic party wants to send to the soldiers and sailors who are proudly serving in Iraq and Afghanistan today.

I also want to point out another glitch that we need to fix that the Republicans refuse to fix. Today an E-5 sergeant with 6 years of service and two children, who is paid \$29,000, who is serving in Iraq today would normally get the \$1,000 tax credit, but because they are in combat, under existing law, this is pretty incredible, because they are in combat, they only get a \$450 break under the House bill. So what the Republican House bill did is to say people who go to Iraq and get combat pay get a less child credit.

We want to fix that problem. I think probably the Republicans want to fix

that problem too, but they just refuse to do it because you want to hold it hostage to the tax breaks for their rich pals, and that is wrong. And the reason we have come down here is we are not going to give up on this until these kids and their parents get this tax credit, and we are going to make sure America knows about this travesty to get this done. I thank the gentleman from New York (Mr. CROWLEY) for sticking on this.

Mr. HERGER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, my friend is incorrect. The House bill does not give any benefits to the wealthiest 1 percent of families because the wealthiest are not eligible for the child credit. Our bill benefits low-income and middle-income families who are left out of the Democrat motion to instruct.

Mr. Speaker, I reserve the balance of my time.

Mr. CROWLEY. Mr. Speaker, does the gentleman have any additional speakers? I reserve the right to close.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from New York (Mr. CROWLEY) is prepared to close. The gentleman from California (Mr. HERGER) may proceed.

Mr. HERGER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in conclusion, this House passed a good bill to improve the child tax credit and to provide tax relief to our brave men and women in the Armed Forces.

Now is not the time to abandon what we have already done. We should continue to work with the other body to resolve this issue, but we should not settle for a bill that is inferior to what was already passed by this House. Hardworking families and the military men and women who preserve our freedom deserve tax fairness today more than ever. Let us show our support for the House bill by rejecting this motion to instruct.

Mr. Speaker, I yield back the balance of my time.

Mr. CROWLEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in closing, let me say in response to the gentleman from California (Mr. HERGER), under the House bill that passed that I voted against, I actually, myself, personally, would become eligible for the tax credit. I would only become eligible for it if the House bill passed. I did not ask for it. I am not asking for it. I do not need it, but I have constituents in my district who are asking me for it. They do need it.

I do not have a rich district. I do not have a wealthy district. I have a lower-to lower-middle-class district, and they are asking for this assistance.

Today I rise in support of these working families and of their children and of similar families all across this country from New York City to California, from the State of Maine to Florida and Texas. Today, I rise in support of African American and Latino families in

my district and across this Nation as well. Today I rise in support of our military families who are serving our country while trying to provide for a better life for their children.

The Republican child tax credit package hurts all of those groups. A child tax credit package that goes out of its way to exclude those that need it the most, the families that need it the most, that it is actually most meaningful to, is not helpful to these families in our country, a child tax credit package that goes out of its way to exclude those that would actually spend the tax credit, putting those funds back into our stalled economy, it just simply is not helpful to those families and to our country that needs that stimulus. That is not a family-friendly package and that package is not helpful to our economy.

Yet, my colleagues on the other side are still telling us that higher deficits and more tax cuts for the rich are the way to end this Bush recession. Republicans are still telling us that tax cuts for the rich are what will help working families. Well, the statistics tell us a different story and the people of my district, they understand there, and they know better.

Since President Bush took office, America has lost over 3.3 million jobs. That is 3.3 million people hurt by reckless tax policies of this administration and this Republican Congress. And yet the Republicans still have the audacity to tell the working African American and Latino families that they, by and large, will be excluded from yet another tax break. Mr. Bush and House Republicans have the audacity to tell many working families who serve our military that they too will be excluded. Mr. Bush has the audacity to charge those families suffering the most under an economy he created and says he will not help.

The Republicans have given us 3.3 million new unemployed in this country. The Republicans have given us a \$500 billion deficit this year. The Republicans have given us high interest rates on our homes and cars through reckless economic policies. Yet the Republicans refuse to give American working families and the enlisted military personnel a much needed tax cut. It is unconscionable, and I urge my colleagues in this House to support this motion before us.

Mr. BACA. Mr. Speaker, I rise in support of Representative CROWLEY's motion to instruct the conferees to grant the Child Tax Credit to thousands of needy families wrongfully ignored by the Republican majority.

When the conference report on the Republican tax cut was finished, the dividend tax cut got bigger and tax credits for working families got smaller. It is unconscionable that we are willing to sacrifice Child Tax Credits for the poorest in our society, so that we can give more money to the wealthiest.

Six and a half million families in this Nation earn \$10,500 to \$26,625 per year. If we do not pass a child tax credit for the families, 19 million children will be ignored. In my home

State of California, nearly 1.3 million working families will not receive a child tax credit because the Republicans needed to give President Bush more billionaire tax cuts. These working families need relief!

By not passing a complete child tax credit, 250,000 kids of active duty military families, many of whom are right now fighting overseas, will be ignored. Military families need relief!

Our economy is in desperate need of stimulus. Unemployment across the Nation has remained over 6 percent and the Hispanic unemployment rate remains above 7.5 percent. America's families are suffering.

Unemployment is up. Wages are down. Poverty is on the rise. More Americans can no longer afford health care.

America's families need our help. They need a child tax credit!

During this time of economic downturn we must not leave out those who are working harder for less pay or those who have recently joined the ranks of the unemployed. It is time to put working families back into the equation.

I urge my colleagues to support Representative CROWLEY's motion to instruct.

Mr. CROWLEY. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from New York (Mr. CROWLEY).

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. CROWLEY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

MOTION TO INSTRUCT CONFEREES ON H.R. 1, MEDICARE PRESCRIPTION DRUG AND MODERNIZATION ACT OF 2003

Ms. SCHAKOWSKY. Mr. Speaker, I offer a motion to instruct.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Ms. SCHAKOWSKY moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 1 be instructed to reject division B of the House bill.

□ 1730

The SPEAKER pro tempore (Mr. MURPHY). Pursuant to clause 7 of rule XXII, the gentlewoman from Illinois (Ms. SCHAKOWSKY) and the gentleman from Illinois (Mr. CRANE) each will control 30 minutes.

The Chair recognizes the gentlewoman from Illinois (Ms. SCHAKOWSKY).

GENERAL LEAVE

Ms. SCHAKOWSKY. Mr. Speaker, I ask unanimous consent that all Mem-

bers may have 5 legislative days within which to revise and extend their remarks and include extraneous material on this motion to instruct.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Ms. SCHAKOWSKY. Mr. Speaker, I yield myself as much time as I may consume.

I rise today to offer a motion to instruct the House conferees on H.R. 1, the Medicare Prescription Drug and Modernization Act of 2003, to strike the health savings security accounts. The \$174 billion saved should be used to provide employer subsidies in order to prevent over 4 million retirees from losing their existing drug benefits.

Many of us believe that the House Medicare bill does not go far enough in providing an affordable and adequate prescription drug benefit to the 13 million senior citizens and persons with disabilities who lack coverage. There are, however, 12 million retirees who today enjoy better coverage through employer-sponsored insurance than the benefit included in H.R. 1. I suspect that very few of us would be willing to say that those 12 million retirees should lose the better coverage they have today.

In fact, one of the selling points of this bill is supposed to be that enrollment in the Medicare benefit is purely voluntary, that retirees can keep their existing coverage if they want; but, unfortunately, this is not the case. We know that from the July 22 Congressional Budget Office analysis of H.R. 1 that one in three out of those 12 million retirees would be worse off if we pass this bill. I want to repeat that. According to the CBO, one out of three of those 12 million retirees would be worse off if we pass this Medicare bill.

It seems to me that our theme ought to be at least first do no harm; but 32 percent of retirees with employer-sponsored insurance would lose that coverage, according not just to the CBO but to studies like the one recently released by Ken Thorpe, a health policy expert now working at Emory University. He agrees with the CBO figures and has given us state-by-state figures about the impacts of H.R. 1.

According to Dr. Thorpe's analysis, 163,000 retirees in my State and in the State of the gentleman who takes the opposite view would lose their coverage and be forced to pay more for their medications if H.R. 1 passes. In every State across our great Nation, there are retirees and retiree families who would be worse off under this bill: 252,000 in Florida; 45,000 in Iowa; 218,000 in Michigan; 55,000 in Louisiana, and on and on the litany of retirees who would do worse under this Medicare bill.

The devastating impact this bill would have on these 12 million retirees and their families is probably unintended. Many of my colleagues may not have known about this problem when H.R. 1 passed this body by a single vote; but now we know about those

impacts, and it is up to us to fix this problem.

Again, it may have been unintentional, but we now know that this bill includes perverse incentives that actually encourage employers to drop coverage and that penalize employers that have done the right thing, those employers who are struggling to pay for drug benefits for retirees and who want to continue to meet their commitment.

We have heard about this problem not just from groups like the AARP and the AFL-CIO, the National Committee to Preserve Social Security and Medicare, and Consumers Union, the National Breast Cancer Coalition and the American Foundation for the Blind. The analysis is coming from the Congressional Budget Office and the Heritage Foundation.

These concerns are, as my colleagues know, echoed by individual retirees across the country. Many of us have held town meetings on Medicare, have talked with senior groups and heard from individual retirees. Again and again, we hear concern that H.R. 1 will take away the benefits that they worked so very, very hard to earn.

As Francis Meehling, age 76, told a New York Times reporter, "Congress says the new benefits are voluntary, but many people would lose the coverage they have." Once a retiree loses his or her coverage, the choice to enroll in an inadequate Medicare drug plan is no longer voluntary because there is no other option available. Let us be very clear. Unless we fix this problem, we will have taken away choice from 4 million retirees and their families.

My motion to instruct conferees is a way to find the resources necessary to provide the financial incentives to solve this problem. Because we are faced with a \$400 billion cap on Medicare spending, which is imposed by the other side of the aisle, we have few choices. We can find the money by reducing the already meager Medicare benefit, we can cut Medicare payments to hospitals and doctors, or we could use the money going for health savings accounts, \$174 billion, so that 4 million retirees do not lose their current benefits.

I have lots of concerns with the health savings accounts themselves because few of the uninsured have incomes high enough to take advantage of the health savings accounts, and I do not believe they will meet their purported goal of providing coverage to the uninsured. At a time when States are struggling financially, the Center on Budget and Policy Priorities says savings accounts will drain \$20 billion to \$30 billion from State treasuries.

It is really not my point today to argue that point. I urge even my colleagues who support savings accounts to support this motion. We have limited choices about where to get the money to prevent 4 million retirees from losing their coverage; and again, I am sure that none of my colleagues

want a single one of their constituents to be worse off because of passage of this bill.

The example of the catastrophic health care bill of 1989 continues to loom over us, and I have issued a friendly warning about it in the past. That is the time when the angry senior citizens charged the then-chairman of the House Committee on Ways and Means and surrounded his car and demanded that that bill be repealed. In recent weeks, I have heard from so-called experts that this bill will not result in a rerun of major grass roots opposition created by the catastrophic bill because they say this is a voluntary bill and no one will be worse off because this Medicare drug benefit is not mandatory but voluntary; but that is really not true because I caution my colleagues to listen again to the words of senior citizen Francis Meehling who says, "Congress says the new benefits are voluntary but many people would lose the coverage they have."

Mr. Speaker, I reserve the balance of my time.

Mr. CRANE. Mr. Speaker, I yield myself such time as I may consume.

We have had several motions to instruct conferees that this House has voted down, and this is more of the same. The motion before us instructs conferees to reject division B of the House-passed Medicare bill. Division B in H.R. 1 allows for the creation of tax-favored health care savings accounts. The basic idea behind these accounts is to let people put their own money away for their future health care needs. They are completely portable and can be used for any health care expense such as prescription drugs or doctor visits.

Let me explain to my colleagues why these accounts are so important for seniors and all other Americans. In January, most insured Americans will see an estimated 14 percent increase in their health insurance premiums. This is the fourth consecutive year of double digit increases. Currently, there are more than 43 million Americans without health insurance, an increase of 2.4 million in the last year.

Health care costs are spiraling out of control throughout the United States. Seniors have the most pressing problem with health care costs because they have no further income opportunities after they retire; but make no mistake about it, all Americans are struggling with increasing health care costs.

The future looks bleak. We have an aging population. The fastest growing segment in our country is people 80 and older. We need to start looking at ways to handle the chronic and long-term care costs of our aging population. When the baby boomers retire, long-term care costs will skyrocket, driving prices even higher.

One piece of legislation is not going to solve all these problems. There is not a simple answer, but there is a necessity to take multiple steps now with one of the most important steps being health savings accounts.

This House has passed bipartisan legislation that for the first time gives all Americans the incentive to plan for the future. It gives people more options and flexibility. If an employer does not offer health coverage, an individual has an affordable way to purchase health insurance on his own.

A few months ago, I talked to a constituent from my district who told me a story similar to the stories many Members have heard from their constituents. He recently quit his job to start his own company. He has a wife and two daughters, and he has been pretty successful at getting his company off the ground, but he cannot find health insurance for his family that is not exorbitantly expensive. He knows he needs it. He has got two children. He makes enough money to be classified as middle class, and he provides well for his family; but he simply cannot afford to be self-employed and make sure his children can go to the doctor. Having had eight children of my own, I understand his frustration. By all accounts he is successful except he cannot find health insurance. Health savings accounts would be a viable option for him and his family.

Opponents of health savings accounts will say that we are only helping wealthy people, that health savings accounts are a tax shelter for the rich. The very opposite is true. These types of accounts are giving people in the middle class and workers who do not have benefits the ability to buy health insurance.

Medical savings accounts, the precursor to health savings accounts, have been very successful. According to the last report from the Internal Revenue Service and the U.S. Treasury, 73 percent of all medical savings account buyers were previously uninsured. So medical savings accounts are making health insurance affordable for the first time for many Americans and actually bringing them into the health insurance system.

According to the Coalition for Patient Care, medical savings account policy holders currently have at least \$100 million in their medical savings accounts to use for health care now or in the future. Previously, that money used to go to insurance companies. With medical savings accounts, policy holders are benefiting from their wise consumption of medical care.

Health savings accounts and health savings security accounts are more flexible than medical savings accounts and, therefore, will be more attractive to people. If they are implemented, it is estimated that 40 million health savings accounts and health savings security accounts will be created by the end of the decade.

I simply cannot understand why my colleagues on the other side of the aisle persist in trying to pass a motion that will remove the ability of seniors to save for their out-of-pocket health costs that will keep 43 million Americans uninsured. I cannot understand a

motion that will limit health care options for Americans. I think some Members are under the assumption that if we strip health savings accounts from the bill that the money spent on health savings accounts will be redirected and used to provide enhanced prescription drug coverage.

I want to clarify what this motion does and does not do. The motion does not direct conferees to close the drug coverage gap. It does not direct conferees to spend more money on drug coverage. It does nothing more than eliminate health savings accounts.

Mr. Speaker, I reserve the balance of my time.

Ms. SCHAKOWSKY. Mr. Speaker, I yield myself such time as I may consume.

Let me just briefly respond that the purpose of this motion to instruct is to prevent 163,000 people from our State of Illinois from losing their coverage because their employers stop providing the benefit for prescription drugs for the retirees. So that is the point. It is to solve a problem that will cause millions of retirees and persons with disabilities to lose their benefit.

Mr. Speaker, I yield 5 minutes to the gentlewoman from California (Ms. LINDA T. SÁNCHEZ), a State where 385,000 retirees are projected to lose their prescription drug coverage.

□ 1745

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I thank the gentlewoman for yielding me this time, and I rise in support of her motion to reject the use of the \$174 billion for Health Savings Security Accounts included in the Republicans' prescription drug bill.

On June 26, I voted against the Health Savings and Affordability Act, H.R. 2595. While it sounds like a great idea to let folks save for their out-of-pocket costs, in reality these Health Savings Accounts are a \$174 billion tax cut for the wealthy. Republicans tell us that these accounts will help those without health insurance, but in reality those without health insurance have incomes that are too low to take advantage of the tax breaks in this bill. The truth is these folks do not have the additional \$2,000 to \$4,000 a year to put into these savings accounts.

When America is experiencing record deficits, this Republican Congress' highest priority remains increased tax cuts, and I am outraged that they are placing them into the Medicare prescription drug bill. When is this type of deception going to stop? All I ask is that my colleagues be honest with the American people. I do not think it is asking a lot for them to really be honest and level with Americans about what they are really getting in this bill.

I ask this Congress if \$174 billion could not be better used? At a time when retirees are struggling with rising prescription drug costs, could the \$174 billion not be used to increase in-

centives for employers not to drop prescription drug coverage for their retirees? If passed as is, the Medicare prescription drug bill will make those receiving employee retirement plans worse off. Currently, this is the largest source of prescription drug coverage for Medicare beneficiaries, and these plans are significantly better than anything that they would receive under the Republican bill.

Under the Republican bill, the likelihood that employers will drop prescription drug coverage is great because retirees will not be able to use their health plans towards the gap in coverage. Therefore, these higher costs do not provide an incentive for employers to make prescription drug coverage available to their retirees. The Congressional Budget Office projects that approximately one-third of employers who are currently providing retiree prescription drug benefits would drop the coverage if the Republican prescription drug bill becomes law, making some 4 million retirees worse off.

In fact, this possibility of losing drug benefits from former employers is the biggest fear currently facing retirees. Already we are seeing a decline in retiree coverage due to increased prescription drug costs, which accounts for 40 to 60 percent of an employer's retiree health care costs.

We cannot stand here and allow the Republican bill to expedite this process. Therefore, I urge my colleagues to support the Schakowsky motion and reject more tax cuts for the wealthy. Instead, why not be honest and do something that is right for the American people and use the \$174 billion for employer subsidies to help ensure that employers do not drop their current prescription drug plans for their retirees.

Mr. CRANE. Mr. Speaker, I reserve the balance of my time.

Ms. SCHAKOWSKY. Mr. Speaker, I would like to inquire as to how much time is left on my side.

The SPEAKER pro tempore (Mr. MURPHY). The gentlewoman from Illinois (Ms. SCHAKOWSKY) has 16 minutes remaining, and the gentleman from Illinois (Mr. CRANE) has 24 minutes remaining.

Ms. SCHAKOWSKY. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. PALLONE), a State in which 143,000 retirees are projected to lose their prescription drug coverage.

Mr. PALLONE. Mr. Speaker, I want to thank my colleague, the gentlewoman from Illinois, for putting together this motion to strike the Health Savings Account provisions and shore up employer-sponsored coverage.

The House Republican bill includes \$174 billion over 10 years for Health Savings Accounts, and these accounts, Mr. Speaker, are bogus. This money should be used to subsidize employers to prevent employer-sponsored coverage erosion. The Health Savings Account provisions will undercut employer-provided health care coverage.

These benefits are available only if individuals are covered by high deductible plans. In other words, plans providing no coverage for at least the first \$1,000 of medical expenses. A deductible that size is approximately double the deductible of most employer plans. The provisions will encourage employers to reduce coverage for workers and their families by increasing deductibles and shifting even more costs on to employees. The resulting cost savings will be enjoyed by the employer because there is no requirement that these savings be passed on to the employee.

For many American families, the tax benefits are completely worthless. The only thing they would receive from the Health Savings Account provision is reduced health care coverage. Most American families will not be able to take advantage of the tax shelter in these provisions because they do not have \$4,000 per year in additional savings. The Health Savings Account provisions are designed to benefit employers and upper-income management not rank-and-file employees.

Now, Mr. Speaker, with the deficit at a record high, we ought to carefully consider how best to spend the scarce resources we have. It is fiscally and morally irresponsible to spend \$174 billion on a tax shelter that will erode health insurance coverage and not improve it. This money would be much better spent by strengthening employer-sponsored retiree coverage, which currently covers about a third of all seniors.

The fate of employer-sponsored health coverage for retirees is a central issue in the Medicare prescription drug debate. As it currently stands, the House-passed Medicare bill encourages employers currently providing retiree health benefits to drop coverage. Unfortunately, the Republican bill states that any dollar an employer pays for an employee's prescription drug cost would not count towards the employee's out-of-pocket catastrophic cap. This disadvantages seniors with employer-sponsored coverage because it would be almost impossible for them to ever reach the bill's catastrophic cap over which Medicare would pay 100 percent of the drug costs. So, without a doubt, many employers will simply stop offering retiree coverage.

The potential loss of this valuable benefit that many unions and employers provide was reported recently in the New York Times. According to the lead story by Robert Pear, and I quote, "About 12 million of the 40 million Medicare recipients has retiree health benefits, usually including some drug benefits. The Congressional Budget Office estimates that one-third of the people with such drug coverage could lose it under bills passed in June by the House."

Now, the Republican conferees are unwilling to provide a final Medicare agreement that will provide seniors with an affordable, available, and guaranteed prescription drug benefit that

does not privatize Medicare. With the added threat of employers dropping retiree health benefits if a retiree is eligible for Medicare, we will no doubt have a public health crisis on our hands. Do not let this happen. Support the Schakowsky motion.

Ms. SCHAKOWSKY. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. SANDLIN), a State in which 280,000 retirees are projected to lose their employer-provided prescription drug coverage.

Mr. SANDLIN. Mr. Speaker, I thank the gentlewoman for yielding me this time. Mr. Speaker, we have a very important question to answer today: Should we provide prescription drugs for all seniors, or should we provide tax shelters for the few? That is our question.

Mr. Speaker, I rise today to join my colleagues in instructing the conferees on H.R. 1 to make our Nation's seniors our top priority as set forth in the Schakowsky motion to instruct.

The prescription drug bill that is before us is supposed to help and not harm our seniors, and yet H.R. 1 has 12 million seniors in this country running scared. These are supposedly the fortunate seniors, the ones who work for companies that promised they would provide retiree health coverage if the employees put in the time required.

But the flawed structure of H.R. 1 will ultimately destroy that commitment. The Congressional Budget Office has estimated that up to 32 percent of retirees will lose their employer-sponsored coverage and drug benefits under the House bill. Thirty-two percent of America's seniors, the retirees, will lose their employer-sponsored coverage under the House bill. That is unacceptable.

A separate study by economist Ken Thorpe came to similar conclusions and noted that in my home State of Texas, 280,000 retirees would lose coverage. That is one-quarter of a million seniors. Now, Mr. Speaker, that is just not exactly the kind of thing that you want to put in your constituent newsletter that you send back home.

Now, this is ridiculous. Why are we pretending to fix one problem while causing another? The CBO has noted that H.R. 1 would provide, and this is a quote, "provide a clear financial disincentive for employers to supplement the part D benefit." A disincentive. It blatantly discriminates against employers who provide retiree health coverage by providing better Federal subsidies when an employer drops coverage than when an employer retains coverage. What kind of reasoning is that?

The Republicans like to say this is a voluntary benefit, but that implies, "voluntary," that our seniors have a choice. I can say with full certainty that none of our seniors with retiree coverage would choose this detrimental program to be enacted into law. I know Texans would not. I know the 32 percent who will be losing their cov-

erage would not. So let us spend our money wisely. Let us direct it at protecting our retirees' hard-earned benefits. We can do that by eliminating HSAs today.

The majority claims we cannot afford, we cannot afford, to offer comprehensive coverage for our seniors' drug needs. But we can afford to allocate over \$174 billion in tax cuts to the inclusion of Health Savings Accounts. That shows where our priorities are. HSAs will certainly help the wealthiest individuals for whom they offer yet another opportunity for another tax shelter. But for middle America, for the people I represent and most of us represent, HSAs will result in employers reducing coverage for American families by, one, increasing deductibles; and two, shifting cost to employees.

Understand, there is no requirement to pass on the savings. We need prescription drugs for all, not a shelter for the few.

Ms. SCHAKOWSKY. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. BROWN), a State in which 243,000 retirees are projected to lose their employer provided prescription drugs.

Mr. BROWN of Ohio. Mr. Speaker, I thank gentlewoman from Illinois for yielding me this time, and for her leadership on health care issues.

What is it, Mr. Speaker, what is it about Republicans and Medicare? There is always some Rube-Goldberg idea they have to change the public health system that has lifted millions of Americans out of poverty for the last 38 years, that has helped America's elderly live longer lives and healthier lives? Republicans always want to try some experiment, some Rube-Goldberg plan.

They tried means testing. They could not get that through the Congress. They tried to raise up eligibility age. They could not get that through the Congress. They tried these Medicare HMOs; and, unfortunately, they have gotten that through the Congress. And ask almost any senior how these Medicare HMOs are working, and they are not working very well.

They have tried an experimental medical savings account, a demonstration project which has not worked very well. Then the President said if you want a prescription drug benefit through Medicare, you have to get out of Medicare and get it through private insurance. That clearly is not flying with the American people. They always, always, always, over the last 30 years, every chance they have gotten, have tried to privatize Medicare.

Now, Mr. Speaker, they have this \$174 billion tax scheme to, again, try to undercut and weaken Medicare. Medicare works because it is universal insurance. And universal insurance works because there are a lot of healthy people and a lot of people that are sick. Through universal coverage, it works for everybody. It works for the healthy 65-year-old who walks two miles every

day and does not need much medical treatment, because she subsidizes the 80-year-old who may be sicker. Then when the 65-year-old gets sicker, other people will begin to help her, because it is a universal system.

Republicans, for whatever reason, I do not know if it is their friends in the insurance industry or what it is, or their political philosophy, or whatever, they want to fracture that universal coverage pool. I guess we really should not be surprised, Mr. Speaker. For 38 years, we have seen Republicans simply have not liked Medicare. They did not vote for it 38 years ago. Speaker Gingrich tried to cut \$250 billion 10 years ago to, surprise, give tax cuts to the wealthiest people in this country. Dick Armey, the Republican leader 2 years ago, said, "In a free society, we wouldn't have Medicare." Whatever that meant. The gentleman from California (Mr. THOMAS), chairman of the Committee on Ways and Means, just in the past year, said he wants to end Medicare as we know it.

They simply do not like this program. I wish they would come to the floor instead of sending these Rube-Goldberg kind of constructs that nobody really understands, just come to the floor and say; we do not like Medicare; we want to privatize it; we want to let the insurance industry run it. That is what the Republicans do in every one of these Rube-Goldberg kind of schemes.

Perhaps the worst is this \$174 billion tax shelter, tax scheme, they are trying with the medical savings accounts. That is why the Schakowsky motion to instruct makes sense. We can take that \$174 billion, instead of putting it in some kind of tax shelter or tax scheme, and use it for something that will really matter and that will help the seniors in this country.

□ 1800

Ms. SCHAKOWSKY. Mr. Speaker, I yield 3 minutes to the gentleman from Washington (Mr. McDERMOTT), a State in which 74,000 retirees could lose their benefits.

Mr. McDERMOTT. Mr. Speaker, it is my desire not to be repetitive, but the gentleman from Ohio (Mr. BROWN) really said it all: Medicare is a program that we all agree we ought to fix, we ought to add a prescription drug benefit.

Now Members know that the \$400 billion that we have put into it is simply not enough. The plan has a great big doughnut hole in it. Most seniors will pay more than they will ever get out of the program, and when we talk about let us fully fund it so everybody gets what they need, we are told there is not enough money. Then if we look a little further into the bill, we find the medical savings accounts. Now I do not know if Members watching this on their television all understand, \$400 billion is what they say, and they have \$190-some-odd billion for medical savings accounts. Who gets the benefit

from that? How many people in this society are able to put money aside in anticipation of an illness?

We buy insurance; we cannot save up for it unless you are rich. This is a plan for the rich to shelter some more of their money. That money could much better be used for providing a good pharmaceutical benefit. Now, the motion of the gentlewoman from Illinois (Ms. SCHAKOWSKY) simply says let us get rid of one more tax break for the rich which is all the President and the Republican majority seem to be able to come up with. In a time when we are losing jobs everywhere and everything else is going wrong, they can find money to keep putting money out for tax breaks. Let us take that money and put it into a pharmaceutical benefit for seniors.

Why should we put a man out that everybody predicts 30 percent of the seniors who are covered now by their former employment will lose that benefit? Why should 74,000 people in the State of Washington who right now have a benefit lose it so we can give another tax break to the rich? It makes no sense. We should all vote for the motion of the gentlewoman from Illinois because it makes good sense, it is good public policy, and it is humane.

Ms. SCHAKOWSKY. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. HOLT), a State in which 134,000 retirees may lose their employer-provided prescription drug benefit.

Mr. HOLT. Mr. Speaker, I rise in support of the motion to instruct, and I thank the gentlewoman from Illinois for her leadership on this issue. The motion addresses two rather disturbing aspects of H.R. 1, the troublesome Medicare legislation passed earlier this year.

The first problem with this bill is, of course, it is, as so many things this year, a loss of revenue so that benefits can be given to people who need the benefits least. The Center for Budget and Policy Priorities has estimated that the health savings accounts would cost the Federal Government \$174 billion over 10 years.

These health savings accounts are a way of saying to the American people they are on their own. The beauty of Medicare and its sister program, Social Security, is we are all in it together. We all know we are all in it together. But the message that the majority is sending here is you are on your own. You can save for these expenses that you will incur, you can save for these prescriptions that you will need, you can save and you will be in good shape. I can hear the President saying to the Vice President, It worked for you, did it not, Dick?

Yes, George, it worked for me.

That is the message that they are giving to the American people, that you are on your own and you will be okay.

At the end of the line of this is channeling all beneficiaries into private in-

surance. As the chairman of the Committee on Ways and Means said, for those who think that we are trying to change Medicare as we know it, the answer is, I certainly hope so. Yes, that is what the chairman said. This is a fundamental change in Medicare.

Now, there are millions of Americans out there who are saying all this debate about prescription medicine under Medicare does not really affect me. They may not like turning people out on their own like this, but we can hear these millions of Americans saying thank goodness that my former employer has given me a good retirement package and I have prescription drug coverage. In fact, in New Jersey where there are 1.2 million Medicare beneficiaries, of these 434,000 have employer-sponsored coverage. It sounds good, but unfortunately we have got bad news for those people who think that they are covered.

The Congressional Budget Office says perhaps one-third of employers could drop retiree coverage under the new bill, one-third. Well, in New Jersey it might be any of 134,000 beneficiaries who would lose their employer-sponsored coverage under H.R. 1. This certainly is an unpleasant surprise for many seniors. The gentlewoman from Illinois (Ms. SCHAKOWSKY) has pointed out that the money set aside in H.R. 1 for the health savings accounts could be much better spent, addressing this second failing of the legislation, its effect on retiree prescription drug coverage, a fine idea, worthy of Members' support. I think we can create this fix by passing the motion to instruct of the gentlewoman from Illinois (Ms. SCHAKOWSKY). I will vote for it and urge my colleagues to do the same.

Mr. CRANE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, my colleagues on the other side of the aisle have one general theme when they talk about health care policy: if we cannot give everyone everything, why pass a Medicare drug benefit. If we cannot help everyone, why help anyone. It is flawed thinking. We all want to help seniors pay for their prescription drugs. We want everyone to have access to affordable quality health care, it is just that we are going about it in different ways.

Our side of the aisle believes that seniors are smart enough to be able to choose the health care that is best for them. They should be able to choose what services they want and what doctor they want to go to. We think that people have the capability to plan for their health care needs down the road. The other side of the aisle thinks that Americans need to be taken care of, that is, what is good for one person is good enough for everyone. Some Members continue to categorize health savings accounts unfairly. They have been called a number of things. They have been called a tax-free grant, a tax shelter for the wealthy, and my favorite, a radical proposal.

The sad truth is that health savings accounts are a radical proposal. We are

giving all Americans, including seniors, a tool to save for their future health care needs. We are letting people keep more of their own money in order to buy health insurance. Ironically, that is a radical idea for some Members, letting people keep the money they earn to buy the health coverage they want. It has been argued that Republicans are being fiscally irresponsible. Some have said that, if the health savings account provisions are stripped from the Medicare bill, that we could afford to cover more of the seniors' prescription drug costs. This is simply not true. Even if health savings accounts were taken out of the bill, \$174 billion will not close the so-called coverage gap.

Let me remind Members that the Democrats offered an alternative prescription drug bill which closed the coverage gap, and that bill cost \$1 trillion. The entirety of the cost of H.R. 1, including the provision creating health savings accounts, is within the budget limits that this House passed earlier this year; a \$1 trillion prescription drug bill is not. Some Members today have spent a lot of time talking about how important it is to close the coverage gap in H.R. 1; yet this motion has nothing to do with closing the so-called doughnut hole. The motion does not instruct conferees to devote any additional money at all toward prescription drug coverage. This motion is not meant to supplement our prescription drug proposal; it is meant to kill legislation that this House has passed which will give millions of Americans access to affordable health care. I urge my colleagues to reject this motion.

Mr. Speaker, I yield back the balance of my time.

Ms. SCHAKOWSKY. Mr. Speaker, I yield myself the balance of my time.

This motion is not about giving senior citizens more than they already have; this is about preventing something from being taken away from 4 million seniors. As my colleague stated, the entire Medicare bill is subject to a \$400 billion spending limit because of the insistence of the Republican leadership. If we are going to provide the funding necessary so that 4 million retirees do not lose their coverage, we need to find the money somewhere. We can take it from the health savings accounts, or we can reduce the meager drug benefit even more, or we can cut provider payments.

My motion says that taking it from the health savings accounts is the best of all of the options that the other side has given us. We know what this motion means. It is a choice whether we vote to protect retiree health coverage, or we are going to vote for health savings accounts that will not meet their goal of covering the uninsured.

More important, the retirees who have employer-sponsored insurance and do not want to lose it know what this vote is about. They will be watching us. I urge support for the motion to instruct.

Mr. MORAN of Virginia. Mr. Speaker, I rise in support of the Schakowsky motion which would strike the House-passed provisions establishing new tax-free savings accounts for medical expenses, estimated to cost \$174 billion over ten years.

On June 26, 2003, I voted against the Health Savings and Affordability Act, which established these new tax-free personal savings accounts that employers could offer to their employees, along with high-deductible insurance policies.

As the House and Senate conferees continue to discuss the Medicare prescription drug legislation, the facts are still coming in that this bill will be a blow to the 12 million Medicare beneficiaries who currently receive prescription drug coverage through their employer retiree plans.

In most cases, their employer prescription drug coverage is significantly better than what they would receive under the Republican Medicare Prescription Drug plans.

It is also troubling to note that about one-third of employers who are currently providing retiree prescription drug benefits will drop that coverage if H.R. 1 becomes law. This means more than 4 million Medicare beneficiaries will be worse off.

Both H.R. 1 and S. 1 exclude employer-provided coverage as counting towards meeting the catastrophic cap on beneficiary spending in their "true out of pocket" definition.

Retirees with employer-provided coverage will get less of a benefit than other seniors.

In fact, these retirees would need closer to \$10,000 in drug costs before the stop-loss protection would apply, well after the \$5800 cap that applies to all other beneficiaries.

This will, in effect, encourage employers to drop their retiree benefits, at a difficult time when steep drug prices are prompting employers to eliminate drug benefits or cap their contributions.

I urge all my colleagues to vote in favor of the Schakowsky motion to reject the creation of the Health Savings Security and Health Savings Accounts provision and use the \$174 billion dollars to help save employer retiree prescription drug plans for our Nation's seniors.

The SPEAKER pro tempore (Mr. MURPHY). Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentlewoman from Illinois (Ms. SCHAKOWSKY).

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Ms. SCHAKOWSKY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

ADJOURNMENT TO FRIDAY, OCTOBER 10, 2003

Mr. CRANE. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. on Friday, October 10, 2003.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

ADJOURNMENT FROM FRIDAY, OCTOBER 10, 2003 TO TUESDAY, OCTOBER 14, 2003

Mr. CRANE. Mr. Speaker, I ask unanimous consent that when the House adjourns on Friday, October 10, 2003, it adjourn to meet at noon on Tuesday, October 14, 2003.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

HOUR OF MEETING ON WEDNESDAY, OCTOBER 15, 2003

Mr. CRANE. Mr. Speaker, I ask unanimous consent that when the House adjourns on Tuesday, October 14, 2003, it adjourn to meet at 2 p.m. on Wednesday, October 15, 2003.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. CRANE. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

□ 1815

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. MURPHY). Under the Speaker's announced policy of January 7, 2003, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

REIMPORTATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. EMANUEL) is recognized for 5 minutes.

Mr. EMANUEL. Mr. Speaker, just yesterday in USA Today they ran a story, "Once Just a Trickle, Canada's Rx drugs pouring into the United States" and predicting that it is now coming close to \$1 billion worth of business where people are buying their medications, name brand drugs, from Canada. And why? Because the same drugs that we have developed here, the name brand drugs, are in Canada for 40 to 50 percent cheaper than they are at our local pharmacy and drugstore. We cannot afford the drugs we need, and

we are not doing enough here in Washington to help make that medication accessible.

We passed a piece of legislation back in July with 88 Republican votes and 153 Democratic votes that brought competition and choice to the pricing of pharmaceutical medications. Today if one went to Europe and Canada for the same medications dealing with blood pressure, cholesterol, heart disease, those medications are 40 or 50 percent cheaper than they are in the United States. Why? Because in those countries they have competition, and it makes the prices go down. If we brought competition and choice to the market, we could actually have the type of prices that are being afforded right now in both Canada and in Europe.

A couple statistics that are so important that people should know, a recent Families USA study found that prices of the 50 drugs most commonly used by seniors increased by three and a half times the rate of inflation. Between 2000 and 2003, seniors' expenditures on prescription drugs increased by 44 percent. Seventy-one percent of Americans think it should be legal to purchase their medications in Canada, in Europe, France, England, and Germany where prices, again, are cheaper than they are here at home. We are asking our folks here in this country to pay a premium price, the most expensive price in the world, not the best price; and we have an obligation to help them get the best price, not the most expensive price.

My governor from Illinois and governors in Minnesota and in Iowa have decided to study what the savings would be to their taxpayers and their consumers if they were to buy medications competitively. Those studies in short order will be out, and I think the Members will see that tremendous savings could be accomplished for the taxpayers in those States.

That is relevant to what we do here on the prescription drug bill. If we are about to spend \$400 billion of the taxpayers' money on the largest expansion in over 40 years on Medicare, we owe an obligation not only to the seniors who will get it but to the taxpayers who will pay it to get them the best price, not the most expensive price; and we want to use the free market principle of competition to bring prices down and to give consumers the choice that they need.

What I find interesting is that we have a \$1 billion business today going on. The FDA does not think there is anything wrong with it but all of a sudden has been lately lip-syncing the pharmaceutical industry's line by saying that there is an issue of safety. Yet they will not in any way try to deal with clamping down or stopping folks from buying those medications because they do not really believe there is a safety issue. The fact is on March 27, 2003, when the FDA testified in front of a congressional committee, when asked

if has anybody has ever been sick, if anybody ever been found to be sick, not one person has ever gotten sick by purchasing medications, name brand medications, from Canada.

The second argument that the industry puts out is somehow it will affect the research and development for new medications. The fact is the taxpayers, through the National Institutes of Health, have funded research into pharmaceutical drugs for \$27 billion a year. Second, they write off all their R&D investment and the taxpayers cover for them.

In my view, the taxpayers have been tremendously generous to the industry and to the development of new drugs and that all the new drugs, if we take a look at cancer, AIDS drugs, other types of medications, they have all been funded by taxpayer-paid research. So first the strawman made the argument about safety. In fact, the legislation we passed here in the House improved the safety by dealing with counterfeit.

Another issue is that somehow it impacts the development of new medication, life-saving medications. The fact is it does not touch it. I think we will maintain the tax credit for research and development, and we will continue to fund the National Institutes of Health to the tune of \$27 billion, and the taxpayers have been quite generous. In fact, what they are owed is a return on their investment.

So what I believe, and would hope that others have seen this article and know what they are having in their own district and as the conference meets here on the prescription drug bill, is that any piece of legislation that does not deal with price does not deal with the primary issue affecting the senior community and that we have an obligation to get them the best price and get the taxpayers the best price we can get them through a prescription drug bill that allows the free market to work. Because for too long we have had a closed market here. We need to open up the market and allow the principle of competition to work.

Second, and I think in addition to that, is that we talk about expanding Medicare. We need to ensure that for that \$400 billion we get the most for our money. Everybody today knows if they go to any senior center and talk to folks they will tell them, because there is somebody from their senior home who has gone over the border, gone into Canada and bought prescriptions filled out for everybody in the unit or everybody at the housing project, they have bought medications. We have turned our grandparents into drug runners, and that should not be illegal because what they are trying to do is meet the obligations they have for their own health.

For too long we have all heard stories of people who have cut medications in half, skipped a month so their spouse can get the medications they need. That is a health and safety risk.

This legislation that was passed out of this Congress with bipartisan majority would address that health and safety risk. It would address the need of our taxpayers who are more than willing to help get a prescription drug bill but not do it when we are paying inflated prices, sometimes as high as 60 percent, to the pharmaceutical industry. If someone takes one medication like Tamoxifen, which costs \$360 here in the United States, it fights what? Breast cancer. In Canada, it costs \$33.62. That is the difference, and it means life or death for a lot of the people here in this country.

I call on the conference to quickly pass a prescription drug bill that has this reimportation provision and ask that my colleagues look at the article the other day in USA Today.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

THE BUSH ADMINISTRATION'S STEEL POLICY IS WORKING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. ENGLISH) is recognized for 5 minutes.

Mr. ENGLISH. Mr. Speaker, I rise today in strong support of President Bush's steel policy which was implemented in March, 2002, to provide the domestic steel industry with a 3-year safeguard program against a crushing surge of steel imports that had begun in 1998.

As chairman of the Congressional Steel Caucus, I have seen firsthand and heard testimony from many steel employers on the extent of the economic devastation that the industry suffered as a result of the import surge. In my view, President Bush took the courageous position to stand up for the steel industry and acted to help restore the steel industry to its competitive footing, something that, unfortunately, the previous administration had not chosen to do.

On September 19, the International Trade Commission issued a mid-term review of the 201 safeguard, which confirmed what many of us had predicted for some time, that President Bush's steel policy is working and showing substantial results. In short, the ITC mid-term review of the President's steel policy is a win for the administration and a win for steel employers and workers.

Since 2002, we have seen the domestic industry begin a heroic recovery and restructuring of the industry and groundbreaking new labor agreements. Yet critics of the steel program argue that steel consumers have unduly suffered from the tariffs imposed on se-

lected imports, and they have clamored for the elimination of the President's program. In my view, the ITC report quells those critics' voices and shows, demonstrating very clearly, that the section 201 safeguard has had minimal impact on the steel-consuming industries.

The ITC report reveals that the domestic steel industry has been doing the right things to get their companies into top shape so they could compete globally. Steel prices have stabilized at a sustainable level after an initial price spike immediately following the implementation of tariffs. This reaffirms the administration's policy and their decision to allow numerous exemptions from the tariff structure.

Serious attempts to restructure, reach groundbreaking agreements between management and labor and significant capital investments have been taken by industry, but, frankly, they cannot stop there. The 201 safeguard program must remain in place for the full 3 years and allow the industry to finish what it has begun and truly recover from devastating import surges.

Mr. Speaker, this really boils down to jobs. The 201 safeguard has stopped the hemorrhaging of jobs among steel producers, and the ITC report found that steel-consuming jobs have not been put at risk by this policy.

Since this most recent crisis in the steel sector began, over 54,000 steelworkers have lost their jobs and over 30 steel companies have had to close their doors.

We developed trade remedy laws like the 201 safeguard specifically to help our companies endure unfair import surges like the one that caused this crisis in the steel industry. We must not allow unfair foreign trade to push our steelworkers out of jobs and force more and more of our good-paying jobs offshore.

I am pleased that the ITC found at core that President Bush's steel policy is good for the industry, it is good for America, and it is good for America's industrial base. We must remain vigilant and police our markets for the sake of our steel industry, manufacturers, and the entire American economy.

I want to thank President Bush for standing up for steel, and I urge him to stick with it.

FUNDING FOR IRAQ

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Speaker, next week the Congress will consider the President's request that we borrow \$87 billion and indebt the American people for the next 30 years to repay that 87 billion borrowed dollars on top of the \$79 billion that Congress borrowed last April to continue the actions in Iraq and build that country. And I say "build" because the President has asked for \$20.3 billion to build Iraq, not

rebuild. We are not talking about war damage. That is a tiny fraction of the cost. This is a guide to the gold-plated construction and war profiteering that the administration has put forward for Iraq.

There is no sum too great. Six billion dollars, not to repair the damage to their electrical grid but to update their 1950s and 1960s boilers and generators to 2003 standards and all the other disinvestments. Six billion dollars the American taxpayers will be asked to borrow to give them the state-of-the-art energy grid when lights are blinking out in this country and our rates are going up.

No idea is too tangential. The Bush Administration wishes the Iraqis to have wireless Internet. They did not have it before the war. I do not think they even had laptops. Maybe a few of the elite did. But they are going to have it after the war. They are going to have wireless Internet paid for, money borrowed, in the name of the American taxpayer.

And then, finally, nothing is too wasteful when it comes to this administration. Mr. Bremer, the pro-consul, signed a contract to feed the 25 members of the Iraqi Governing Council handpicked by Mr. Bremer and the President for a mere \$5,000 per day.

□ 1830

Apparently the food was going to be flown in on an executive jet from some exclusive restaurant in Washington, DC or New York. I do not know how they could spend \$5,000 a day for 25 people. The Iraqi Council canceled that and generally said, "You know, when it comes to reconstruction or feeding ourselves or doing all these other things, help us do it, and we can do it for 10 cents on the dollar." They are aghast at what we are wasting.

The major point is when it comes to this administration, no sum is too much when it comes to war profiteering and gold-plated construction in Iraq. But it is too easy for them to neglect our troops.

We find out that 30,000 of our troops lack body armor. They have been issued flak vests from the Vietnam era. It will not stop an AK-47 bullet. It would cost \$15 million to equip those troops with vests, but the Pentagon, which got \$79 billion last spring to equip the troops in the war and had a budget of nearly \$400 billion last year, said it could not find within that budget, \$15 million to give our young men and women those vests. So now, in order to equip those young men and women with the vests they should have had before they went there, they are asking for \$300 million. What is this? Yes, \$15 million worth of vests are needed, and the Pentagon said they want a \$300 million appropriation to do that.

But it does not stop there. Some of our troops are over there in their jungle fatigues. Many of them are driving Humvees that have either canvas side

curtains or sheet metal doors, which do not do real well with AK-47 bullets or rocket-propelled grenades. Now, they finally came to the conclusion that we should buy some armored Humvees for those troops.

The boots, the substandard boots they purchased are wearing out. Some of the troops are wearing jungle fatigues. We cannot afford those desert fatigues for everybody. A \$400 billion budget, \$79 billion last spring, another \$79 billion now. Some of those people are going to have to go over there in their jungle fatigues, wear that Vietnam era flak jacket, drive around in Humvees with canvas side curtains.

But yesterday the Bush administration decided they are going to get this all right and fix it. So they appointed Condoleezza Rice to oversee Mr. Bremer, the pro-consul in Iraq, and see if they can do these things better in the future.

I have a suggestion for Pro-Consul Bremer and his overseer, Ms. Rice: Why do not they go over there, looking like a target, wearing jungle fatigues, and wear a Vietnam era flak jacket and drive a Humvee with canvas side curtains, instead of going around in their armor-plated Suburbans, surrounded by Bradley Fighting Vehicles with helicopters overhead, and they say they have been there and are doing what the troops need.

The troops are not getting what they need, and we are wasting billions to rebuild that country.

The SPEAKER pro tempore (Mr. MURPHY). Under a previous order of the House, the gentleman from Florida (Mr. FEENEY) is recognized for 5 minutes.

(Mr. FEENEY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. FILNER) is recognized for 5 minutes.

(Mr. FILNER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

LETTERS FROM HOME REGARDING IRAQ

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. BROWN) is recognized for 5 minutes.

Mr. BROWN of Ohio. Mr. Speaker, 165 years ago, conservatives in the House of Representatives passed a rule to pro-

hibit and ban the discussion of the debate of slavery in the House of Representatives. Then Congressman, former President, John Quincy Adams, strongly objecting to that policy passed by the conservatives that ran this House of Representatives, came to the floor night after night, week after week, disputing that rule and reading letters from his constituents, mostly women in Massachusetts, who could not vote, sharing letters from his constituents with the House of Representatives and with the American people protesting that prohibition on that debate.

Today, the Congress is considering other very important legislation, other legislation and investigations, something the House of Representatives conservative leadership does not want to allow, and that is debate on how this \$87 billion will be spent and accounted for, whether or not the Bush administration told the truth when leading this Congress and country into war with Iraq and how we are going to take care of the troops.

I am again tonight, as I have night after night since late July, reading letters from my constituents, because conservative Republican leadership in this House will not allow us to debate these issues and will not do the investigation that the country and so many of my constituents are demanding. I am reading letters from them tonight about the troops, about the lack of accountability on the \$87 billion and the \$1 billion a week we are already spending.

Jane from Akron, Ohio, writes, "Do not put good money after bad. I implore you to look at the U.S. servicemen and women in Iraq and Afghanistan and see that they are treated decently in terms of danger pay, education for their dependents and family support issues. The Bush administration is certainly not supporting the troops with decency and respect."

She is talking about some of the same things my friend the gentleman from Oregon (Mr. DEFAZIO) just talked about.

Evelyn from Akron, Ohio, writes, "This administration has bankrupted the country. Please vote against the \$87 billion unless the people responsible are held accountable."

She talks about, as many other letters have, the fact that we are spending \$1 billion a week in Iraq. One-third of that money has gone to private contractors, many of them unbid contracts. The largest contract has gone to the Halliburton company, which Vice President DICK CHENEY was CEO of until he was running for Vice President, and she and others talk about the fact that Mr. CHENEY is still receiving \$13,000 every month from Halliburton, as Halliburton is receiving hundreds of millions in unbid contracts, hundreds of millions of our tax dollars.

Wes of Strongsville, Ohio, writes, "It is beyond belief that this administration has gone so long, nearly 5 months

since the 'end of major combat,' without a plan on accomplishing its initial goals in Iraq and keeping our soldiers from another quagmire."

Wesley of Bath, Ohio, writes, "I am very sad that George Bush and his staff, including Dick Cheney, Donald Rumsfeld and Condoleezza Rice, apparently misled us when taking us to war. We need to publicly investigate how the public was misled about the reasons for going into this war. If the President and his people are culpable, they should be let go."

Betty from Akron, Ohio, writes, "We need to end the U.S. occupation of Iraq and give authority for rebuilding to the United Nations. No more money from Congress until there is a change."

She and others have suggested that President Bush bring in more United Nations troops, more United Nations financial support, something the President has been unable to do, in large part because many around the world, as in this country, have not really believed that the President has told us the truth, and so many of our countrymen, so many of my constituents, have objected to this \$1 billion a week with no accountability, especially when \$13,000 every month is still going to the Vice President of the United States from a company that is getting millions of dollars in unbid contracts from the President of the United States.

Shirley from Akron, Ohio, writes, "We can no longer afford to go it alone in our nation-building in Iraq and still care for America's pressing social issues, most specifically, our children's education, health care and high unemployment from the loss of American jobs. The hubris of this administration's policies at home and abroad will cost America for decades to come. It must stop now."

She is talking about the President's tax cuts for the wealthiest citizens. The average millionaire gets a \$93,000 tax cut, while the President has cut veterans' benefits, and he is not taking care of our troops in Iraq and the supplies they need. The President has cut education and health care benefits also.

Claire from Strongsville, Ohio, writes, "The level of debt increases daily as we keep reducing services for needy children. It can only get worse as we throw more money into the unjust Iraq war."

You can see, letter writer after letter writer, citizen after citizen in this country, have major concerns about the corruption, the unaccountability, the money the Vice President is still receiving and our whole war policy.

RUBBER-STAMPING THE ADMINISTRATION'S POLICY IN IRAQ

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. McDERMOTT) is recognized for 5 minutes.

Mr. McDERMOTT. Mr. Speaker, I come to the floor tonight because I

know that we are going to next week be in a session of the "Rubber Stamp Congress." Tomorrow the Committee on Appropriations will meet for several hours, and they will pass out \$87 billion worth of borrowed money.

I brought this because in my district one of my constituents started printing up what he calls "fraudulent event notes." This is a \$1 billion note in "deception dollars."

Now, 87 of those look something like this. That is what we are going to put out tomorrow, \$87 billion of hard-earned money, with very little discussion, and the President wants them to run it through this House next week. We will come in on Wednesday. We will fly in on Wednesday afternoon; on Thursday we will have a little debate; and Thursday it will be gone. Two, three hours of debate, \$87 billion.

Now, when you think about that, this Rubber Stamp Congress never says no to this President. It is a failed policy, with the same people in charge today that got us in the mess. Oh, they have rearranged the deck chairs on the Titanic. Ms. Rice is now in charge. She sort of elbowed Colin Powell off to one side, and Mr. Rumsfeld off to the other side, and she is running in and telling Mr. Bremer what to do, the Viceroy we appointed over there to run this place.

What is missing in all of this is a plan to give the control of Iraq to the Iraqis. They say someday. Five years, we are going to be doing this for 5 years. In one year, we have been in here for \$79 billion, and now we are back for \$87 billion more, all borrowed.

We cannot touch those tax cuts. Oh, no, we gave that money to the rich people, and, I do not know, they are doing something with it somewhere. They are not making jobs. We have got no jobs in this country. But we are printing money. The presses are running like mad printing this money to send over to Iraq.

Now, what are we going to send it there for? You heard from one of my colleagues a little bit of it. We are going to send over a guard system for public property, \$15 million. That is just for training and administration.

We are going to send them 80 pickup trucks at \$2.6 million. That is \$33,000 apiece. That is a pretty good pickup truck. You can get a pickup truck for under \$20,000 right now. But, no, we have to send them the \$33,000 brand.

We are going to send over a communications system of handheld radios, 400 of them, and 200 satellite telephones, for \$6 million. How many of your police departments have that kind of equipment? And yet we can send it over to Iraq.

Or we can go and give security for the judges at \$200 million. Four hundred judges. We are going to provide security details constantly for \$200 million.

These phony dollars that they got us into, they got us into a war on a fraudulent basis. The President stood right here and said things which he now

says, "My, it wasn't true." But we are going to pay for it.

We are going to pay for a witness protection program. If any Iraqis come forward, we promise them that we will take them to the United States and set them up someplace in Florida or wherever, I do not know, and spend \$100 million on them, like they were crime fighters in the Mafia in the United States.

That is what your money is going for.

Mr. Speaker, there are a lot of things in this country that ought to happen before that happens.

We are going to buy them 200 tanker trucks. We are going to buy them 250 natural gas trucks. More of these dollars. They are going out. They are going out to the people, and they are going to be spent over there, and the Iraqis themselves say, "Give us 10 cents on the dollar, and we can do it ourselves." But this is an American occupation headed by Viceroy Bremer, and there is no intention in this list of turning over control to them.

We are going to set them up an army. We have decided they need a 40,000-man army. They had an army before. Where is it? Why do we have to buy new weapons for all of them?

Four hundred thirty-five Members are going to come in here with their rubber stamp, and they are going to say, "Mr. President, you want it. I close my eyes, it is yours." And we are going to send them \$87 billion, with no discussion. It is wrong. Keep your eye on them.

□ 1845

The SPEAKER pro tempore (Mr. MURPHY). Under a previous order of the House, the gentleman from Florida (Mr. MEEK) is recognized for 5 minutes.

(Mr. MEEK of Florida addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. MARIO DIAZ-BALART) is recognized for 5 minutes.

(Mr. MARIO DIAZ-BALART of Florida addressed the House. His remarks will appear hereafter in the Extension of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nebraska (Mr. BEREUTER) is recognized for 5 minutes.

(Mr. BEREUTER addressed the House. His remarks will appear hereafter in the Extension of Remarks.)

THE NEED FOR RELIABLE, ACCESSIBLE, AND VERIFIABLE VOTING METHODS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. HOLT) is recognized for 5 minutes.

Mr. HOLT. Mr. Speaker, I am pleased to follow my friend, the gentleman

from Washington (Mr. McDERMOTT). And to think that the gentleman got in some hot water not too many months ago for saying that, well, he might question the veracity of some in the administration who were talking about the facts leading us to war. I think the American people have come to see that the gentleman from Washington (Mr. McDERMOTT) knew what he was talking about.

But I would like to talk about another subject: voting, the single most important act of a democratic republic.

Now, citizens in my State of New Jersey tell me they want voting techniques, technologies that are reliable, accessible, and verifiable. And they are concerned that in the stampede to replace the unreliable butterfly and punch card ballots, that we may be replacing one unreliable voting technology with another.

Now, consider electronic machines like, for example, touch-screen machines. They are convenient, they are accessible, they are fast and efficient. In many ways, they make good voting machines. They report the election results promptly and can reduce clerical errors and errors in addition. And certainly Members of Congress, I for one, have encountered in an election where the county clerk makes errors of addition that, in some cases, take hours and, in other cases, days to uncover. But these electronic machines are good, except that they are inherently unverifiable. Voters ask me, now, after I vote on an electronic machine, how will I know that back there in the electronics, back in the ether, back in cyberspace, the vote was recorded as I intended. The answer is, they do not know. They cannot know. Because of software or hardware errors, the votes might have been misrecorded. Innocent, accidental errors, or malicious, intentional, hacking errors. The real problem is that there is no way for the voter to verify the reliability of the electronic count.

Voters are plenty skeptical these days, and we cannot afford to have voters more skeptical about the process that they are supposed to own.

Mr. Speaker, I have introduced legislation under which each voter gets to see a printed record of his or her vote to verify that the vote is recorded as the voter intended and that the printed record becomes the vote of record. Now, this gives all the convenience, accessibility, and reliability of the electronic voting machines. And, it gives the added element of verifiability, of verification that belongs to each voter, as it should.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. GUTKNECHT) is recognized for 5 minutes.

(Mr. GUTKNECHT addressed the House. His remarks will appear hereafter in the Extension of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from New York (Mr. HINCHEY) is recognized for 5 minutes.

(Mr. HINCHEY addressed the House. His remarks will appear hereafter in the Extension of Remarks.)

COMMENDING THE INDIANAPOLIS COLTS ON THEIR STUNNING VICTORY AGAINST THE TAMPA BUCCANEERS ON MONDAY, OCTOBER 6

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Ms. CARSON) is recognized for 5 minutes.

Ms. CARSON of Indiana. Mr. Speaker, those of my colleagues who probably were unable to stay up and watch the Monday night football game certainly by now know that within less than 4 minutes a miracle occurred at the Bay. I am not talking about the weather in Tampa Bay or perhaps the latest diet fad, but I am talking about a history-making, Indianapolis Colts-stomping that occurred at Tampa Bay on Monday night, October 6, on national television, a little show called "Monday Night Football."

The miracle at the Bay, a 38 to 35 overtime win, and no miracle to Indianapolis Colts fans, was lead by quarterback Peyton Manning and receiver Marvin Harrison.

I want to commend the Indianapolis Colts team, the Indianapolis Colts organization, and certainly the coach, the unflappable, the dignified gentleman, fired, dismissed, former Tampa Bay Coach Dungy, now with Indianapolis, and he makes us extremely proud.

Coached by Mr. Dungy, the Indianapolis Colts wiped out a 21-point deficit late in the fourth quarter and won 38 to 35 in overtime. The Colts trailed 21 to 0, 28 to 7, and 35 to 14. But in the fourth quarter, the Colts scored 28 points against the NFL's best defense and Super Bowl champion, the Buccaneers.

The "less than 4-minute-miracle" was led by Indianapolis quarterback Colt Peyton Manning and Colt receivers and running backs James Munro, Marvin Harrison, and Ricky Williams over a span of less than 4 minutes; 3.37 minutes to be exact.

The Colts gained 455 total net yards against the Buccaneers' vaunted defense. Peyton Manning passed for 386 yards and two touchdowns. Marvin Harrison had 11 catches for 176 yards and two touchdowns.

It was a total team contribution, and the Colts are now 5 and 0 and, hopefully, Super Bowl-bound. An inspired Colts team gave Indianapolis fans a hard-fought victory. This win also gave Tony Dungy an unforgettable gift on his 48th birthday and his return to Tampa, a 38 to 35 victory in overtime against his old team, the Buccaneers.

Tony Dungy, when others may have given up because the ABCs of a comfortable victory did not seem to be in the cards, Coach Dungy does what he does best, the 3 Cs: calm, coaching, and confidence.

I want to say, Mr. Speaker, tonight that the Colts indeed make Indianapolis proud and Coach Dungy, who gives so much of his time with the NFL fatherhood project and a lot of other great things that he does in the Indianapolis community, as well as in Tampa, and the fact that he is such an example, a shining example of fatherhood, of what a husband is, what a family unit should be about, being a dad, he lives what he teaches.

Coach Dungy is the NFL face and coordinator of the All-Pro Dad, a non-profit program that offers practical fathering assistance updated daily, available 24 hours a day, 365 days a year. At the heart of the program is the All-Pro Dad team. Its members include active NFL players and coaches and retired NFL standouts. Through TV, radio spots, and 2,000 nationwide billboards, these men speak to fathers about their most important job, and that is being a dad.

So again, Mr. Speaker, Coach Dungy is tops with Indianapolis and, in many ways, tops with the Nation, and with my favorites, and that is fatherhood, advocacy, and the Indianapolis Colts.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

(Mr. PALLONE addressed the House. His remarks will appear hereafter in the Extension of Remarks.)

TROUBLING DEVELOPMENTS IN MIDDLE EAST PEACE PROCESS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, the gentleman from Indiana (Mr. HILL) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mr. HILL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the subject of this Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HILL. Mr. Speaker, in the August break, several Members had the opportunity to take a trip to Israel. As a matter of fact, there were 28 Members. It was lead by the minority whip, the gentleman from Maryland (Mr. HOYER). This evening we would like to offer Members who went on that trip the opportunity to share their experiences and to give their opinions and give their support for the State of Israel.

Mr. Speaker, as the only democracy in the Middle East, Israel has been a strong and important ally to the United States for over 50 years. Maintaining that relationship is imperative to the strength and security of the United States.

When I was approached several months ago about joining a congressional delegation to Israel, I welcomed the opportunity. Though I had been to Israel once before in the early 1990s, it was during a very different time, a time when peace seemed near.

Given the events over the last several years in both Israel and the United States, I felt it was my duty as a Member of Congress to gain a better understanding of the Israeli-Palestinian conflict and how it relates to the security of the United States.

One of the most important aspects of this congressional delegation trip were our meetings with Israeli and Palestinian leaders. We were greeted by both leaders with optimism regarding the peace process. These meetings shed light on the challenges that both sides face in beginning meaningful peace negotiations, and they highlighted the importance of U.S. involvement in the peace process. Unfortunately, that optimism has turned to violence, as the road map to peace has crumbled. Israel has been forced to defend herself against terrorist attacks much like the United States did in the wake of September 11. I continue to strongly support Israel in its stand against terrorism. However, I am hopeful that all parties will exercise restraint so that they may, once again, focus on the process of achieving peace.

Mr. Speaker, when we were over there, both the at-that-time Palestinian leader, Mahmoud Abbas, and Mr. Sharon, the Prime Minister of Israel, were very optimistic about the chances for peace in Israel. They believed that they could achieve it. But, once again, we have negotiations breaking down. Our thoughts and our prayers are with both Israel and the Palestinian people, that they will try to reach out to one another in a peaceful way and bring peace to the area.

Mr. Speaker, I yield to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Speaker, I want to thank my colleague from Indiana for organizing this Special Order and also the gentleman from Maryland (Mr. HOYER) for organizing the trip to Israel which, as was mentioned, so many of us on the Democratic side of the aisle went together. I think it was actually the largest number of House Members ever that traveled to Israel, at least in anyone's memory.

I wanted to discuss the trip but, in particular, discuss the troubling developments in the Middle East peace process that have occurred since the trip when we were there in early August. I have to admit that for myself and probably all of my colleagues on the trip, we were hoping to return from Israel with stories of remarkable steps being taken towards peace in the region. I wanted to be able to return and tell my constituents that progress was being made, that things were getting better, and that families were safer.

However, many of us returned from Israel, and I know I did, uneasy about

what we saw and concerned about the future of the peace negotiations. In our meetings with Israeli Prime Minister Ariel Sharon and then Palestinian Prime Minister Abbas, they both expressed a willingness to work towards a peace settlement. But while the talk was positive, there seemed to be no action on the part of the Palestinian Authority to eliminate Hamas and the other violent factions of the organization, despite concessions by Israel on political prisoners and the control of territories.

Even more troubling to us was the overriding concern that Prime Minister Abbas did not have the ability to negotiate peace with Israel or the power to reign in the Palestinian terrorist factions. At every turn, it seemed, Yasir Arafat worked to undermine the Abbas government. So it came as no surprise that only a month after we returned from Israel, Abbas resigned as Prime Minister, citing his inability to effectively do his job in the shadow of Yasir Arafat. It was even less a surprise that a member of Arafat's inner circle was then tapped to step into the position.

Mr. Speaker, since our trip, as we all know, violence has once again escalated in the region. Just this past weekend on the eve of Yom Kippur, another suicide bomber stepped into another crowded Israeli seaside restaurant and killed another 19 people. Mr. Speaker, since the start of this year, over 100 people have been killed in Israel as a result of suicide attacks. This is not a combined total of several years; this is over 100 people killed in the last 9½ months alone.

In response to this weekend's bombing, Israel conducted an air strike inside Syria in a terrorist camp believed to be used by Hamas and its Islamic Jihad.

□ 1900

This was a measured response by the Israeli government against the groups who carried out the attack.

As a side note, Mr. Speaker, I have spoken several times on the House floor regarding the need for Congress and the President to implement sanctions against Syria. I am a cosponsor of legislation that was approved today by the House Committee on International Relations that would place economic sanctions against Syria and hold Syria accountable for their actions. Syria has long been known to support and sponsor terrorist organizations. It is on the State Department list of terrorist nations. This Congress and the President must show to Syria that there are consequences for their actions. So I would urge that this bill come to the floor of the House and be passed as soon as possible.

Not surprisingly, Arafat has used Israel's strike against Syria to his advantage. Arafat has taken the attack as an opportunity to declare a "state of emergency," passing a presidential decree that institutes his chosen group as the new prime minister and cabinet.

This step by Arafat only confirms my fears that Arafat continues to exert enormous influence over the Palestinian government. Israel has to come to grips with Arafat's ability to derail the peace process and has faced serious international opposition when the Israeli government issued a decision to take steps to remove Arafat from power.

Recent actions by Arafat make it painfully clear that Arafat continues to be a roadblock to peace. When one government does not follow his orders, he undermines that government until its leaders resign, and he puts his own people in charge. Peace cannot be achieved, in my opinion, as long as Arafat is in power.

Mr. Speaker, I am sure I can speak for many of my colleagues on the trip when I say that we all want nothing more than to see peace negotiations move forward. So, for now, the Palestinian Authority has a new prime minister. However, many of the same questions remain: Will steps be taken to dismantle the terrorist networks? Will the new prime minister be able to govern or will Arafat continue to pull the strings? I guess only time will tell the answers to those questions.

In closing, I just want to urge all of my colleagues in Congress to visit Israel and meet with government officials and see the region firsthand. I want to thank the gentleman from Maryland (Mr. HOYER) for organizing this trip, giving us the ability tonight, through the gentleman from Indiana (Mr. HILL), to discuss our trip. It was a wonderful trip. It was at a time when peace seemed possible. I know it does not seem very possible right now, but I am still hopeful that again we will see peace in the Middle East.

Mr. HILL. Mr. Speaker, it was a pleasure to have the gentleman from New Jersey (Mr. PALLONE) on the trip. He contributed a great deal to the success of the trip.

Mr. Speaker, I yield to the gentleman from California (Ms. LINDA T. SÁNCHEZ) who is a new Member in Congress but is really doing an outstanding job.

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise today and join my colleagues in our continuing desire to establish peace in the Middle East. I joined several of my Democratic colleagues this past August in a trip to Israel to see firsthand the impact that violence has had on the people of the Middle East.

It seems that almost daily we turn on our television sets and read newspapers and learn about another bombing or missile attack in the Middle East. Just this past Saturday 19 people were killed and 50 people were injured when a suicide bomber set off an explosion in a packed restaurant in Israel.

My trip to Israel in August impacted me profoundly. One cannot begin to understand what it is like for the people of Israel to try to live under such conditions until one have traveled to the

country and has seen it firsthand. There is a difference between understanding their situation by reading about it in the newspaper and actually being there, living it and seeing it with your own eyes.

Israel is a tiny country and is practically surrounded by countries that consider Israel and Western-style democracy an enemy. Israel lives with the fear of attack every day, and Israeli citizens need to protect themselves and defend their homes. There are many regions of the country that the Israeli government holds on to simply because they improve the security and safety of their citizens.

While I was in Israel I and my colleagues saw firsthand the construction of an enormous security fence to prevent violent attacks. Once completed, this barrier will stretch for approximately 150 miles. It is a combination of ditches, barbed wire, and electric sensors. Many people have spoken out against the fence and say that it is an obstacle to achieving peace in the region. But until you have been to Israel, you cannot possibly understand what that fence means in terms of the safety and security of women and children and civilians.

I also recall during our trip being taken to border regions and being shown security footage of people trespassing over the security barriers and entering Israel without authorization. These constant dangers impact the people of Israel every day, and I was impressed with how committed the Israeli people were to protecting their country and their families in the face of so many threats. In fact, many citizens carried guns with them, ready to defend their country at a moment's notice.

It is easy for people outside of Israel to criticize them for carrying guns and constructing a security fence. But the fear and the danger that faces the people of Israel is real, and they must be allowed to protect themselves. Because of this danger, they alone know the best way to protect their citizens and secure their communities.

Mr. Speaker, I hope that our country continues to support the government and the people of Israel. I hope that we recognize Israel's right to be a sovereign nation and Israel's right to protect itself. Most of all, I hope that peace comes to the people of Israel and all of the citizens of the Middle East.

Mr. HILL. Mr. Speaker, I yield myself such time as I may consume.

The gentlewoman from California (Ms. LINDA T. SÁNCHEZ) spoke about the fence. The fence takes on symbolic proportions just by the idea that we are putting up a wall, some people like to call it. But this fence is not designed to keep the Israeli people out of Israel like the East Germans tried to do in East Germany trying to keep their people in. This is to protect the Israeli people.

As the gentlelady from California (Ms. LINDA T. SÁNCHEZ) so eloquently

said, until you have been there and seen it for yourself, you really do not have a great appreciation for it.

Mr. Speaker, at this time, I yield to the gentlewoman from Guam (Ms. BORDALLO).

(Ms. BORDALLO asked and was given permission to revise and extend her remarks.)

Ms. BORDALLO. Mr. Speaker, as a Member of the House Committee on Armed Services, I have worked to further my understanding of the threats posed to our national security by state sponsors of terrorism and the role of our allies in countering this growing threat; and I am well aware that Guam's neighbor, North Korea, exports missile technology to Iran and other nations that seek to acquire both weapons of mass destruction and the means to deliver them.

The people of Guam have a keen interest, Mr. Speaker, in developments in the Middle East where so many of our sons and daughters are proudly serving. Mr. Speaker, you may be interested to know that Guam is actually the closest American soil to the Middle East region.

I, too, Mr. Speaker had the opportunity to visit Israel with my colleagues, and I thank the gentleman from Indiana (Mr. HILL) for this opportunity to speak tonight.

I was very pleased to join my colleagues on this recent mission to Israel. The State of Israel has come a long way since my last visit there over 20 years ago. The people have maintained the ancient heritage of the Holy Land and its sacred sites, while bringing economic development and opportunity to a very young nation. They have worked at bringing peace with their neighbors, Egypt and Jordan, and stand ready to negotiate a final settlement with the Palestinians.

What I saw in Israel confirmed my belief that our assistance to Israel has been an important investment in regional security, for much has been achieved with our assistance from the leadership of President Carter to President Bush's efforts today.

In prosecuting the war on terrorism globally, we should never forget our steadfast ally Israel and the responsibility we have to engage there. In Israel, I saw a people who share our democratic values in and long for peace being forced to live with the ongoing threat of terrorism. All too often, we focus our attention on CNN footage of a burning bus or a shattered restaurant. We must not forget these people after the cameras have moved on.

For the women and the children that took the number 2 bus in Jerusalem, we must not delay in moving our embassy to Israel's capital. For the families who sat down to lunch at the Maxim Cafe, we must demand accountability from nations such as Syria that sponsor terrorism against Israel. To prevent future victims of terrorism, we must support increased defense cooperation with Israel; and, above all,

we should encourage President Bush to continue the U.S.-led effort to facilitate the negotiations between Israel and the Palestinians that are crucial to our peace in the Middle East.

The decisions of the 108th Congress will have a historic impact on our foreign policy and the security of our nation, and I look forward to sharing in those decisions with the understanding that I have gained from visiting Israel.

So, Mr. Speaker, I would like to go on record to thank my colleagues who participated with me on this delegation and especially to the gentleman from Maryland (Mr. HOYER) who led our group and for providing me with such a valuable opportunity.

Mr. HILL. Mr. Speaker, I thank the gentlewoman from Guam (Ms. BORDALLO) for her kind remarks. It was an opportunity for us to get to know one another a whole lot better in our trip to Israel. I have a great amount of respect for the gentlewoman from Guam.

Mr. Speaker, at this time, I yield to my colleague from California who I sit on the Committee on Armed Services with, the gentlewoman from California (Mrs. DAVIS of California).

Mrs. DAVIS of California. Mr. Speaker, I would like to thank the gentleman from Maryland (Mr. HOYER), the distinguished minority whip, for leading this trip and also for tonight's opportunity to share our thoughts with our colleagues and the American people.

It was my third trip since I had lived on a kibbutz in 1965 during what was then the infancy of the State of Israel. Each time I set foot there I am reminded of the rich history of the land. The way you drift from present to past and back again is simply indescribable. One is constantly reminded of the biblical origins.

It is a place where time is measured in millennia, not decades, which helps me keep a perspective on everyday headlines.

On this trip, I had the opportunity to go to the Golan Heights. As our bus climbed the corkscrew roads I looked down upon the kibbutz where I had lived 38 years ago, and I was struck by its proximity. It was much closer than I ever thought. That geography reminds me of my own City of San Diego. There people live on bluffs, on mesas overlooking valleys, yet no one in the valley is concerned about being shot by their neighbors above.

This highlights the stark differences in everyday life in the U.S. compared with everyday life in Israel. In Israel, normalcy is a challenge. But it is achieved every day. Life continues, but not without adjustments. Families have learned to live with the prospect of violence. Just like here, parents worry about getting their kids to school. Adult and youth join their friends at coffee houses, and families go shopping. Though it may look normal, there is much going on that one cannot see.

Just take the example of going to the store. Here we might be thinking about

the traffic and the availability of parking. In Israel, one would worry about security at the store, about which routes to take, and about the wisdom of taking public transportation.

On recreation choices, I am reminded of the accomplished physician, the Israeli-American who went to the coffee house with his daughter the night before her wedding. A suicide bomber went also.

When I learned of the 19 people killed in an Arab-managed restaurant in Haifa, I recalled the afternoon that we all lunched at an Arab-owned restaurant feeling safe.

The differences extend beyond such day-to-day choices. As diverse as this body is, the Knesset's diversity impressed me. Though Democrats and Republicans joust in a war of priorities, our experiences are nothing like those of Jews and Arabs serving together in a Knesset while their brothers and sisters might be fighting one another.

□ 1915

And while the challenges we face are important and the problems we address are critical, again, they seem shadowed by the complexity of those in the Knesset.

Finally, despite the grave security situation in Israel, I observed a free and open press. The plight of those living in the West Bank and Gaza was discussed and important questions were asked of the government. Surely the freedom to debate such sensitive issues is symbolic of the great potential for understanding and cooperation that exists in Israel. A free and open press underpins a free and open society. Israel is a democracy, a democracy that refuses to be handicapped by its dangers and a democracy that needs our continued attention and our support.

Mr. HILL. Mr. Speaker, I thank the gentlewoman from California (Mrs. DAVIS). I am always impressed at her presentation and her ability to ask the tough questions in such a nice way.

Mr. Speaker, how much time remains?

The SPEAKER pro tempore (Mr. MURPHY). The gentleman from Indiana (Mr. HILL) has approximately 39 minutes remaining.

Mr. HILL. Mr. Speaker, I yield to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Speaker, I thank the gentleman.

Mr. Speaker, I was very much pleased to participate along with my wife on this trip to Israel, and I appreciate the efforts of the gentleman from Maryland (Mr. HOYER) in organizing this trip. It is not my first trip. It is probably my 7th or 8th trip to Israel. And as always, I was impressed by looking at different facets of Israeli society and seeing a vibrant, free, democratic, modern country, so different from so many other countries in the Middle East.

I had many experiences there, but one of the things I always do when I go

someplace else is read the local newspapers. Reading the newspapers in Israel, you are struck by the debates on politics and on policy, on peace, you are struck on the political give and take, by the criticism in the newspapers of the government and its leaders, by the debate of the members of the various political parties, all of this so reminiscent of the democracy in our own country, in the United States.

In the debates in the press, in talking to the people, one could feel the palpable yearning for peace that Israel is so desperate for. One could not escape the fact that Israel is a country fighting a war on terrorism alongside the United States. One could never escape the fact that Israel is targeted by hostile neighbors, by hostile terrorists who have had over 100 suicide bombings, homicide bombings, really, targeted at civilians, men, women and children.

Sometimes we read in the papers here that in the last 3 years since violence began in September of 2000, about 800 Israelis have been killed and countless more wounded, maimed. And Palestinians were also killed. But what you do not read all the time is that most of the Israelis who were killed and maimed were children and old people and women, children simply at a pizza parlor or teenagers at a dance hall or people at a wedding or a Bar Mitzvah or just going about their business, on their way to work on a bus. Most of the Palestinians who were killed were armed people engaged in attacking someone engaged in terrorism.

One is also struck when visiting Israel, in going around Israel, by how small the country actually is. It is one thing to look at a map and talk about Israel and the territories, the West Bank and Gaza and the Sinai and Egypt and what territories should constitute a new Palestinian state, what territorial concessions or compromises Israel should make. It is all very academic on a piece of paper; until you are there, and you see how small this country is. When you go to a place, a hill on a farm, and you can look and see on one side, the Jordan River, the boundary between the West Bank and Jordan, and on the other side, you can see from the same hill the Mediterranean, how narrow the country is and how remarkable, in those terms, is the willingness of Israel to give up so much territory to form an independent Palestinian state, as Israel offered to do at Camp David and at Taba in 2000.

We saw the monitoring station in the north of the country. We visited a station, really a couple of trailers, a few hundred feet from the Lebanese border. We saw the balloon. It looked like a barrage balloon, tethered a couple of hundred feet up, but it did not hold weapons. It held cameras. And sitting in this monitoring station were young girls, 18-year-old girls in army uniforms looking at the monitors to try to prevent terrorists from coming over

the border to attack and killing at random, to kill men, women and children at random. And this is what the army has to occupy itself with.

We saw also part of where the fence is going to be. The fence has been the object of some controversy. But the Gaza Strip has a fence around it. People go through the fence, through check points, but not one homicide bomber has come from Gaza. A million and a half people in Gaza, not one homicide bombing has come from Gaza into Israel successfully. Plenty have tried, but not one has succeeded to wreak mayhem and murder on civilians. Unfortunately, that is not the case with the West Bank.

Someone once said that good fences make good neighbors. Well, you need a lot more than good fences to make good neighbors, but one might say that good fences are very important to make good neighbors. And no one can deny the necessity for Israel to try to prevent people from crossing over to attack villages and towns in Kibbutzim and just plain people going about their business.

The United States is erecting a fence between at various places between the United States and Mexico to prevent illegal immigration. No, we do not have a problem, thank God, with people trying to cross from Mexico into San Diego to commit murder. If we have a problem, it is because people want to cross to get jobs. But the Israelis have that problem. And we saw where we were how narrow the place was. How there was an Israeli town and not 200 yards away an Arab-Palestinian village, which was not in Israel but was in the West Bank, and in between them simply a depression in the ground and nothing to stop people from walking across.

That is why we need the fence. That is why Israel needs the fence, to protect the lives of men, women and children. And it ill-behooves anyone to criticize a defensive fence against terrorism.

I must say, Mr. Speaker, that I believe in the necessity of a Palestinian state. Some people ask me, do I believe that the Palestinians have a right to a state? My answer is no, I do not think so. I do not see why the Palestinians have any more right to an independent state than the Baathis or the Kurds. On the other hand, if Israel is going to be a safe state and is going to achieve peace and is going to remain a Jewish democratic state, then there has to be a Palestinian state, because there is no alternative.

The question, of course, is, can you have a Palestinian state with peace and security for Israel? Is there someone you can deal with to negotiate that, and that is what Israel tried to do. And if you read what Dennis Ross, President Clinton's chief negotiator at Camp David, or what some of the others have said, they offered, the Israelis offered a Palestinian state in 100 percent of Gaza, 97 percent of the West

Bank, plus territory from Israel proper so that the Palestinians could say they got the equivalent of acreage of 100 percent and Arafat turned it down. And Arafat then started a war which is what we have had for the last almost 3 years, 3 years and a couple of weeks.

So we hope and pray for peace. This trip showed us just how small Israel is; how necessary the fence is, how necessary the Israeli defense measures are; how important Israel's part in the war on terrorism is; and how, when people say that the main problem is the Israeli occupation, how wrong that is. The Israeli occupation will end when there is an ability to have a peaceful solution for Israel and to have security for Israel without Israel having to occupy the land for security purposes. We saw that very clearly and that is what we have to understand. And the United States must engage to continue our alliance with Israel, the only free democratic people in the area, the only reliable ally for the United States in the area, and the moral necessity of defending that freedom and democracy, and the political necessity of allying in the war on terrorism with our only reliable ally in the war on terrorism in the Middle East, Israel.

Mr. LARSEN of Washington. Mr. Speaker, the resignation of Mahmoud Abbas and the appointment of Ahmed Querai as his replacement as the Prime Minister of the Palestinian Authority has fully thrown off course the Road Map to Peace.

Two months ago I traveled to Israel as a member of the largest Congressional delegation to ever visit Israel. While there, I had an opportunity to meet with both then Prime Minister Abbas and Prime Minister Ariel Sharon. At the time, both Israel and the Palestinian Authority were struggling to implement the Road Map requirements.

Abbas's humble welcome to the delegation belied a history of being one of Yasser Arafat's right hand men in the Palestinian Liberation Organization's past terror campaigns. This history makes it all the more interesting that Silvan Shalom, Israel's Minister of Foreign Affairs, told us that it was official Israeli policy to take actions to enhance the credibility of Abbas within the Palestinian Authority.

Abbas's message to us was a recounting of key issues that impact the Road Map peace process. He argued that the security fence, which he referred to as a wall, should be dismantled. However, when pressed on this issue, he conceded that the fence might be less of an issue if Israel built it on non-West Bank lands. He argued that Israel's announcement that they would release 545 political prisoners, in addition to those 248 released before the Akaba summit, was inadequate. His sentiment echoed Arafat's claim that the release was a fraud.

What Abbas failed to explain is that the Israeli government's difficult decision to release prisoners was not a required element of the Road Map peace process. The Israeli government took this step unilaterally and specifically as a confidence-building measure for the peace process and to help enhance Abbas's credibility.

Abbas's third issue was the continued presence of Israeli forces in Palestinian settle-

ments and cities in the West Bank. Recent suicide bombers have come from these cities. The Israeli government's position is that, short of a Palestinian Authority effort to dismantle all terrorist infrastructure, Israeli troops will be present in the West Bank.

Finally, the issue of terrorist infrastructure hung out there. The most important action that Abbas could have taken to silence all of his critics is the step necessary during the now dead temporary ceasefire to dismantle the infrastructure supporting terrorist groups like Hamas and others. The number one obstacle to that step was Yasser Arafat, a picture of whom hung over the meeting as a constant reminder of who was really in charge.

We drove back to the bus for the 90-minute ride back to Jerusalem for our meeting with Prime Minister Ariel Sharon. Sharon met us in his office within the large government complex located on one of the many hills in Israel's capital.

Sharon's message was simple: For real peace, Israel is ready to make painful compromises. He noted that Israel is a small country but has a determined people.

He went on to echo Minister Shalom's earlier comments that Israeli policy is to enhance Abbas's credibility, and he went on to point out recent changes the Palestinian Authority have implemented. He noted that incitements, or the agitating of anti-Israeli opinion, have decreased. He emphasized that, except for the recent shooting north of Bethlehem, the temporary ceasefire had held.

Sharon cautioned, however, that the Road Map peace process would not move forward to the next phase without completing the current phase in full. What he emphasized the most was a full cessation of terror. Sharon noted that Arafat's strategy of terror has not changed, and Arafat continues to undermine every step that Abbas takes.

Thinking back to the Abbas meeting, the Palestinian Authority's Prime Minister expressed his sincere belief in two main goals for his government. First, a rule of law must exist for all Palestinian people. Second, it is his goal to have one security force. This was important because there are currently 13 separate security forces, ten of which Arafat controls.

I bring this up because two things strike me most about this pair of meetings. Both men have a vision for their people. Sharon's vision is a vision that most Jews have, an Israel for the Jewish people with secure borders living in peace with its neighbors. Abbas's vision was not expressed as clearly but was still there: a state for Palestinians living securely under the rule of law.

Abbas's resignation and the seeming resurrection of Arafat now mean these visions are on hold. If the Palestinian Authority cannot have leadership that is willing to wrest itself from the hold of Arafat and terrorist groups, then Israel must continue to defend itself from suicide bombers. As a strong supporter of Israel, however, I believe the United States has a responsibility to help Israel take steps forward—not backward—including improving the average Palestinian's quality of life. I am no supporter of Arafat. But, honestly, hints at efforts to assassinate Arafat took the peace process backward in the eyes of many. I applaud the foreign minister's efforts to back away from the statement made by the deputy prime minister.

I am much less hopeful now than I was just two months ago about the short-term prospects for peace and resolution to the Israeli-Palestinian conflict. However, I am more certain now than ever that the United States must stay involved for there to be any success of the Road Map or any long-term future peace process. The ground rules may have changed with Abbas's resignation but our interests have not.

Mrs. MALONEY. Mr. Speaker, until you actually spend time in Israel, it is hard to truly understand what it is like to live with the daily reality of terrorism.

The horrific explosion this weekend makes it hard to remember that this summer was a time of relative quiet.

People on both sides of the conflict were able to venture out of their houses. Palestinians went to the beach for the first time in years. Israeli cafes and restaurants were crowded. Tourism was up. But, unfortunately, in many ways that quiet was more illusion than reality.

During the Hudna, 27 civilians were killed, and 133 were injured. Over 180 terrorist attacks, including 120 shooting attacks, were launched against Israeli citizens. At the same time, Israeli security forces prevented more than 40 attacks, including suicide bombers.

Given the volume of attacks, perhaps we shouldn't have been surprised that during our brief one week visit this summer our lives were touched by two separate terrorist incidents. But, we believed in the ceasefire and the possibilities it seemed to offer.

One incident occurred after we visited an area along the border between Israel and Lebanon.

The very next day, a sixteen year old boy was murdered by a missile fired over the Lebanese border, close to the place we had strolled the previous day. A day earlier, a few yards in a different direction and the missile could just as easily have hit one of us.

A few days later, we visited Hadassah Hospital and met a doctor who had been up all night saving the life of a woman. She had been driving on a highway with her family when a sniper's bullet pierced her car.

The doctor's expertise gave her another chance at life, but she will spend years recovering from her wounds.

9/11 awakened Americans to the ease with which terrorists can reach us. Our schools, our homes, our water and our air are so vulnerable. It just takes one angry person with a weapon.

This weekend one angry person stole the lives of 19 people in Haifa. Some of them were Arabs, some of them were Jews. Hatred does not distinguish.

At a time when violence seems to be taking over the region, it is hard to remember the optimism that so many of us felt this summer.

As the largest delegation of Members of Congress ever to visit Israel, we had the opportunity to meet with many of the people who are key to the peace process. They were hopeful that better times lie ahead, and so were we.

But peace cannot come as long as Arafat continues to call for a million martyrs. Peace cannot come as long as Palestinian children are taught to idolize terrorists. Peace cannot come as long as Palestinians refuse to crack down on terrorist groups.

Terrorism wages war against children, old people, the defenseless. Terrorism seeks to destroy the most vulnerable.

In a free and open society such as Israel's, the only response to terrorism is a determination to go on. In Israel we saw extraordinary creativity, energy and freedom.

Despite their daily brush with terrorism, Israelis are determined to lead ordinary lives. In their very normalcy, they pose a daily challenge to terrorists.

Let us hope that in the future they will not have to try so very hard to lead normal lives. Let us hope that freedom will prevail over terrorism.

Mr. HILL. Mr. Speaker, I thank the gentleman from New York (Mr. NADLER) for his eloquent remarks. As always, he has a lot to say.

Mr. Speaker, there was no vacation that we took. We worked very hard and the gentleman from Maryland (Mr. HOYER) worked us very hard. We were at it early in the morning and until late at night every single day. As a matter of fact, by the end of the trip, I was thankful that we were going home. But because of his leadership, we learned a great deal and we have a much greater appreciation.

Mr. Speaker, I yield the balance of my time to the gentleman from Maryland (Mr. HOYER), the leader of this trip, our Democratic whip, for purposes of control.

PEACE IN ISRAEL

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, the gentleman from Maryland (Mr. HOYER) is recognized for the remainder of the minority leader's hour, approximately 29 minutes.

Mr. HOYER. Mr. Speaker, I would like to thank the chief deputy whip, the gentleman from Indiana (Mr. HILL), not only for his extraordinary leadership on this mission to Israel and to visit with the leadership of the Palestinian authority, Mr. Abbas, but also I want to thank him for his being here this evening. I had intended to be here throughout the course of this special order, but the scheduling was such that I could not be. I thank the distinguished chief deputy whip from Indiana for standing in.

Mr. Speaker, no region of the world in my opinion holds out more promise and presents more peril than the Middle East. Our Nation's security is closely tied to the developments there, from our efforts in post-Hussein Iraq where 130,000 American troops are on the ground today, to our desire to prevent Iran from obtaining nuclear weapons, to the continuing hunt for al Qaeda operatives, to the ongoing Israeli-Palestinian crisis.

The United States, Mr. Speaker, has interests and allies throughout the region but we have only, in my opinion, one true friend there, the democratic state of Israel. As President Kennedy remarked 40 years ago, he said this, "We will never turn our back on our steadfast friends in Israel whose alliance to the democratic way must be admired by all friends of freedom."

Today, Mr. Speaker, it is imperative that a new generation of American

leaders recognize the special relationship that has developed between our two nations and understand why a free and secure Israel is vital to America's national security. Indeed, developing a deeper understanding of the U.S.-Israel bond was the purpose of a congressional delegation trip to Israel that I was pleased to lead from August 2 to August 10.

In all, Mr. Speaker, 29 House Democrats made this trip. That is the largest congressional delegation to visit Israel in its history. Our delegation included Representatives from every region of the United States, as well as the territory of Guam. More than one-third were serving their first year in Congress.

□ 1930

Nearly one-third were women, and for many this was their first visit to Israel.

This was my fourth trip to Israel as a Member of the House. I had been there before, and this was my sixth trip in all.

We made this long journey to see and to learn. We traveled throughout Israel, and visited the Gaza Strip and West Bank as well.

We were privileged to meet with Prime Minister Sharon and members of his cabinet; Labor Party chairman Peres, one of Israel's most distinguished statesmen. We met also with Speaker Reuven Rivlin and members of the Knesset; and in addition to that, we met with the then-Palestinian Authority Prime Minister Mahmoud Abbas, who sadly, subsequently, resigned after being continually undermined by the purveyors of death and destruction in his authority. He led, I think, an effort for peace, but that effort was subverted by Arafat himself.

We also, Mr. Speaker, were privileged to meet with representatives of the academic, religious, press, and medical communities. We saw firsthand the security challenges and realities that confront Israel and were left with several strong impressions.

First, security is an absolute precondition for peace. The much-discussed security fence was regarded as a reasonable attempt by our delegation to reduce terrorist attacks, and events, frankly, subsequent to our trip have not altered that view. However, Mr. Speaker, the route of that fence is an issue and properly continues to be examined.

Secondly, the dismantlement of the Palestinian terrorist organization, all of us believe, was essential if security was going to be effected, which is a precondition for peace, as I have said.

Thirdly, we cannot ignore, we must not ignore morally, politically, or intellectually the plight of the Palestinian people whose cause has been undermined, in my opinion, by the tactics of terror, the incitement to hate and refusal to seek peace.

Our trip, Mr. Speaker, occurred during a 7-week period of relative calm in

that troubled part of the world; but that calm, as all of us know, was shattered on August 19, just a few days after we left, when a Hamas homicide bomber in Jerusalem murdered 22 people, including five Americans, and injured 130 others.

Since then, Mr. Abbas, as I said, has resigned. He resigned on September 6. A homicide bomber killed 19 people in Haifa last Saturday, and Israel retaliated 14 hours later by striking suspected terrorist camps inside Syria on the 30th anniversary of the Yom Kippur War.

Mr. Speaker, it is clear that the continued, unconscionable violence by Palestinian terrorist organizations has left the President's so-called road map for peace in tatters.

I might say that I remember a conversation we had with Mr. Abbas, the prime minister then of the Palestinian Authority. It was on a Monday that we met with him. We met with him in Gaza, and he made the observation that there were thousands of Palestinians on the beach in Gaza enjoying a Sunday afternoon. He had said they had not done that in a very long time because they, too, like the Israelis, are concerned about security. They understand that terrorist attacks bring retaliation. They understand that the violence that the Palestinian terrorists perpetrate begets violence committed against them. The two, in my opinion, are not analogous. One is the cause of the other.

Mr. Speaker, we responded not only deep into the heart of Afghanistan when we thought that they were providing a haven and training ground for terrorists; we destroyed their government and replaced their government and drove them from the land. The Taliban, of course, is what I am talking about; but we know that if terrorism would stop, the chances for peace would escalate geometrically.

The Palestinian side must know the basic precondition for peace is and must be the unconditional cessation of the campaign of terror and violence against Israel. Not only does it undermine the security of Israel, but it undermines the security of the Palestinian people as well.

The United States, Mr. Speaker, stands ready, I believe this Congress stands ready, to work with other nations to obtain a better life for the Palestinian people; but this Nation will always be committed to Israel's survival, security and success as the haven and homeland for the Jewish people. No people on Earth perhaps has been more savaged through the centuries.

My friend, the gentleman from Michigan (Mr. CONYERS), will speak in just a minute. African Americans unfortunately and tragically fall in a similar condition. For us to allow any peoples, whether they be Jewish, African American or Palestinians, to be savaged in a world that calls itself civilized is unacceptable.

We must call, therefore, we must urge, we must demand the cessation of

the use of terrorism perpetrated against Israel, the United States, or any other nation. At the same time, we must seek justice, for without justice, as the gentleman from Michigan (Mr. CONYERS) knows so well, there will be no peace.

ETHICAL AND MORAL QUAGMIRE FOR THE ADMINISTRATION

The SPEAKER pro tempore (Mr. MURPHY). Under a previous order of the House, the gentleman from Michigan (Mr. CONYERS) is recognized for 5 minutes.

Mr. CONYERS. Mr. Speaker, it is clear to me that the administration has fallen into an ethical and moral quagmire with regards to its policies in Iraq and its efforts to paper over its deceptions.

Yesterday, I asked the political director, Mr. Karl Rove, to step down for his role in the outing of Ambassador Wilson's wife. Last week, I asked the Attorney General to appoint a special counsel, in large part due to the possible conflicts the investigation of Mr. Rove would cause.

I reached these conclusions because of the following. It was just reported in Newsweek that after the initial leak, Karl Rove sought to give the leak wider dissemination by contacting Chris Mathews and stating that Mr. Wilson's wife and her undercover status were "fair game." It was also reported that a White House source confirmed that Mr. Rove had been working the press on the story but had merely told the press it was reasonable to discuss who sent Wilson to Niger.

It is very possible that his actions were illegal under title 18 United States Code 793. If one knows that national security information has been leaked, the person is required to report it to authorities, not to further disseminate it, as Mr. Rove has done.

But even if he has not broken the letter of the law, Mr. Rove's actions are morally indefensible. He has used his influence to smear and intimidate a whistleblower, an ambassador to the United States Government, and to further publicize Mrs. Wilson's name, in fact, a CIA covert operative, and to impugn the Wilsons' integrity. As a matter of fact, according to the New York Times, a Republican congressional staffer said the administration strategy for dealing with the Wilsons was to slime and defend.

There is a clear conflict when one is investigating the White House staff; and as a matter of fact, it has been reported in Time magazine that Attorney General Ashcroft over the years has paid Mr. Rove \$746,000 for campaign consulting in his political races. It has also been reported that Mr. Rove was the driving force behind Ashcroft's nomination as Attorney General. "How the religious right pushed for Ashcroft's nomination," written in the New York Times, January 7, 2001, by David Johnson and Neil Lewis.

We also know that Mr. Rove was reportedly fired from the campaign of President George H.W. Bush over a leak to Robert Novak. "Why are these men laughing," published in Esquire magazine, written by Ron Suskind, January 2003.

Wayne Slater, a Karl Rove biographer, notes a pattern of unethical behavior. He says, "I don't know who leaked what to whom. Most people don't know the facts here. And both Bob Novak and Karl Rove have said it didn't happen. But I have to say that it certainly was consistent with the Karl Rove that I know. If he didn't do this, he certainly has a pattern of activity over the 15 years, 20 years that I've known him where he has done similar things." See CNN, October 1, 2003.

Another Rove biographer, James Moore, thinks that he must have known about the leak and says, "After having watched Mr. Rove for all of these years, I know full well, and anybody who knows the way he works, that something of this nature does not happen without Karl checking the yes box. I'm saying that if Mr. Rove is not involved, I'll eat the paperback copy of my own book because this is a guy who controls everything, and he has a history of putting a layer of protection between himself and other people, using other operatives to get things done." Buchanan and Press, MSNBC, October 1, 2003.

Finally, let us not forget that many have received information that Mr. Rove is the source of the initial illegal leaks themselves. According to the London newspaper, The Guardian, on October 1, several journalists have confirmed off the record that Mr. Rove is the source of these leaks. We know from The Washington Post that fully six journalists were called with the initial leak.

The above information is all publicly available. I do not possess a team of investigators. All one needs to do to gather this information is read the New York Times, Newsweek, The Washington Post, Time magazine.

I will insert my full statement at this point.

Mr. Speaker, it is clear to me that the Administration has fallen into an ethical and moral quagmire with regards to its policies in Iraq and its efforts to paper over its deceptions.

Yesterday I asked Karl Rove to step down for his role in the outing of Ambassador Wilson's Wife. Last week, I asked the Attorney General to appoint a special counsel, in large part due to the possible conflicts in the investigation of Mr. Rove.

I reach these conclusions because of the following:

It was just reported in Newsweek that after the initial leak Karl Rove sought to give the leak wider dissemination by contacting Chris Mathews and stating that Mr. Wilson's wife and her under cover status were "fair game." It was also reported that a White House source confirmed that Mr. Rove had been working the press on the story, but had merely told the press "it was reasonable to discuss who sent Wilson to Niger."

It's very possible that his actions were illegal. Under 18 USC 793 if you know national security information has been leaked, you are required to report it to authorities, not to further disseminate it, as Mr. Rove has done.

Even if Mr. Rove hasn't broken the letter of the law, his actions are morally indefensible. He has used his influence to smear and intimidate a whistle-blower. It is quite obvious he has sought to further publicize Mrs. Wilson's name and to impugn the Wilsons' integrity. As a matter of fact according to the New York Times, a Republican congressional staffer said that the Administration's strategy for dealing with the Wilsons was to "Slime and Defend."

There is a clear conflict whenever you are investigating White House staff. As a matter of fact, Time Magazine has reported that AG Ashcroft paid Mr. Rove \$746,000 in the 1980's and 1990's for campaign consulting on his Senate and Governor's races.

It has also been reported that Mr. Rove was the driving force behind Ashcroft's nomination as Attorney General. "How the Religious Right Pushed for Ashcroft's Nomination," David Johnston and Neil A. Lewis, New York times, January 7, 2001.

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Wayne Slater, a Karl Rove biographer notes a pattern of unethical behavior: "I don't know who leaked what to whom. Most people don't know the facts here. And both Bob Novak and Karl Rove have said it didn't happen. But I have to say that it certainly was consistent with the Karl Rove that I know. If he didn't do this, he certainly has a pattern of activity over the 15 years, 20 years that I've known him where he has done similar things." ("Paula Zahn Now," CNN, Oct. 1, 2003).

James Moore, another Rove biographer thinks he must have known about the leak: "After having watched Mr. Rove for all of these years, I know full well, and anybody who knows the way he works, that something of this nature does not happen without Karl checking the yes box . . . I'm saying that if Mr. Rove is not involved, I'll eat the paperback copy of my own book because this is a guy who controls everything, and he has a history of putting a layer of protection between himself and other people, using other operatives to get things done." ("Buchanan & Press," MSNBC, Oct. 1, 2003).

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The above information is all publicly available. I don't have a team of investigators. All you need to do to gather this information is read the Washington Post, the New York Times, Newsweek, Time and the like. It's not rocket science, and it's all public information. If you add it up, it's an overwhelming case for resignation and the appointment of a special prosecutor.

President Bush promised to return "honor and integrity" to the White House and "change the tone in Washington." Instead, Mr. Rove's

actions are akin to the type of abuse and vendettas we saw during Watergate.

When it comes to ethics, this is an Administration that has gone to extremes to avoid independent scrutiny. Whether it is investigating the President's friend Ken Lay or his Secretary of the Army Thomas White for their involvement in the Enron Fraud; Vice President CHENEY for his involvement in financial fraud by Halliburton; or the involvement of top Republican legislators in trading campaign contributions for legislative favors on behalf of Westar, in the instances the Attorney General has not seen fit to open a single independent investigation.

LACK OF CREDIBILITY IN THIS ADMINISTRATION

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WATERS) is recognized for 5 minutes.

Ms. WATERS. Mr. Speaker, I am taking this opportunity to focus attention on the lack of credibility of this administration. This administration has been revealed for attempting to mislead the American public, and they certainly have mismanaged this so-called Iraqi freedom war. This administration's credibility is on the line, and let me recount some of the reasons why.

Every American now knows that there are no weapons of mass destruction, that this administration claimed they knew about, had identified and could document in Iraq. They even claimed that they had the drones that do surveillance that were capable of carrying weapons of mass destruction. That has been debunked. That is not true. They also claimed and there were weeks of stories in the paper about the President's claim that Saddam Hussein had attempted to purchase yellow cake, or uranium, from Niger. That has been found not to be true.

□ 1945

They claimed and tried to mislead the American public in several ways. They have been caught trying to tie 9/11 to Saddam Hussein, and they have had to back off of it, and they have looked rather foolish in doing that.

But, really, to underscore this lack of credibility, imagine that Karl Rove, sitting at the right hand of the President of the United States, had the audacity, the temerity to call the press and to out an undercover CIA agent and the wife of an ambassador. Not only did he break the law, he endangered the life of this woman. And this is a man who is calling the shots in the White House, again whispering into the ear of the President, guiding and leading him.

They also claimed, as they bombed Iraq, that Iraq would be rebuilt with the oil resources. We know that they secured the oil fields when they landed. And they told us that they would be pumping the oil and that the revenues from that oil would pay for the rebuilding. Well, those are just a few of the instances of misleading information, dis-

tortions, information that has managed to confuse the American people and create a lot of distrust.

But I am not going to concentrate all of my 5 minutes on that. That story has been written. And I do not care how they try to do their little mini shake-up and pretend that Rumsfeld is not the point person that he is, and drag out Condoleezza Rice, who is supposed to put a better spin on it than Rumsfeld. I do not care how they try to do that. The fact of the matter is, the American people are unhappy.

We are unhappy when we look at the request for \$87 billion that this President has asked the American public to ante up, this \$87 billion at a time when the economy is not well. When we have lost over 3.5 million jobs, where people are trying to make ends meet, cannot pay their bills and have plants that are closing down every day, the President asks the American people to ante up \$87 billion because he is proposing to spend \$850 million on Iraqi health care, including \$150 million for a new Children's Hospital.

The number of uninsured Americans has grown to 43.6 million in 2002, up from 41 million in 2001. There are 8.5 million children without health insurance. And I can keep on going. They want to do some housing in Iraq. The President proposes to spend \$470 million on housing and construction, including \$100 million to build 3,528 new houses in Iraq. How many Members of Congress could use some new housing in their districts?

In the United States, we are experiencing a housing shortage on an unprecedented scale. According to the Millennium Housing Commission, there is currently a 1.8 million unit gap between the number of extremely low-income households and the number of affordable rental units available for these households.

But let us not stop there. Let us move on to education. The President's proposal includes distributing 5 million science and math books, 1.2 million school supply kits for students, and as many as 1,000 primary schools are being rehabbed. One Member on the other side of the aisle got on the floor and showed us the brand new book bags they bought for all of the children of Iraq. I had to remind him that children in my district do not even have books to put in a book bag.

The President's signature program, No Child Left Behind, is underfunded by \$8 billion. While we are witnessing this in this country, think about the lack of credibility that this administration has created with the way it has done these contracts.

An August 28 Washington Post article noted that Halliburton, the company formerly headed by Vice President CHENEY, has won contracts worth more than a couple billion dollars under Operation Iraqi Freedom and stands to make hundreds of millions of dollars more under a no-bid contract awarded by the U.S. Army Corps of Engineers.

Bechtel has earned at least \$350 million.

Mr. Speaker, I could go on and on and on. But every night Members will be coming to the floor talking about the lack of credibility, the mismanagement and the shock and awe campaign that was put on. Well, Mr. President, we are going to shock and awe you. Mr. President, you are going to be shocked when the people speak out and decide that they do not want this kind of representation.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MURPHY). Members are reminded not to address their remarks to those outside the Chamber.

SANCTITY OF HUMAN LIFE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, the gentleman from Indiana (Mr. PENCE) is recognized for 60 minutes as the designee of the majority leader.

Mr. PENCE. Mr. Speaker, it is a privilege to rise again now for the second time in this Chamber to address an issue that, while we passed significant legislation concerning partial-birth abortion recently, truthfully the Congress does very little to speak to what I believe is the defining issue of our time: namely, the questions and debates surrounding the sanctity of human life.

So, Mr. Speaker, a few weeks ago I initiated on the floor of this Congress what I hope will become a series during my tenure here, a series of conversations between myself and other Members of Congress who care deeply about this debate and where we might explore the historical and intellectual and moral foundations of the right to life.

It seems altogether fitting that we do it here, in this Congress and in this place. Because this is not only the House of the people, but it is the place throughout the history of this Nation where not only have we come together to debate the urgent needs of the country but also we have come to this place and in this building for over 200 years to discuss those things which are, while not urgent to some, they are important to the fabric of the Nation. In my humble opinion, Mr. Speaker, restoring a fundamental understanding about the sanctity of human life and its central position in the development of notions of justice in western civilization is without a doubt the most significant issue of our day.

I was inspired by none other than a former member of this body, John Quincy Adams, who, prior to being a 20-year Member of Congress was, of course, President of the United States of America. But as he served in the Chamber just adjacent to this one, where the Congress met for much of the 19th century, John Quincy Adams

was known to be a man about one cause, and that was abolition. In fact, former President and then Congressman John Quincy Adams was a man who came to be known by his detractors as the hell hound of Abolition, because Congressman and former President John Quincy Adams would come into this place, history records, and week after week through his 20-year career in Congress he made the case against slavery.

As someone who believes in my heart that the decision that the United States Supreme Court rendered in 1973, a decision which has resulted in the legal abortion of nearly a million and a half children every year since, requires that we employ the same device of debate and discussion that John Quincy Adams employed, it is my hope, Mr. Speaker, to do as he did, to prick the conscience of the Nation, or even our own colleagues, to think deeply in their hearts and in their minds about this notion of the sanctity of life.

To do that, I have called upon a variety of sources, some of which I will cite tonight. I begin tonight, as I hope to reflect on that historical debate that John Quincy Adams so notably brought to this floor, with a quote from Martin Luther King, Jr., in his letter from the Birmingham jail.

Some may think, well, why is a lawmaker, why is the Chamber where laws are made, worried about something that is a moral issue? In fact, I received just a few days ago a letter from a constituent who voiced that often-repeated phrase that they did not want me to impose my moral views on them, believing that they were referring to my views on the right to life. Well, on that very issue the Reverend Dr. Martin Luther King, Jr. wrote, "A just law is man-made code that squares with the moral law of God. Unjust law is a code that is out of harmony with the moral law of God."

In fact, Dietrich Bonhoeffer, the German Lutheran pastor who was martyred for resisting Adolf Hitler, gave what may be the clearest expression of this principle when he said, "If government persistently and arbitrarily violates its assigned task, then the divine mandate lapses." In the case of Pastor Bonhoeffer and the Reverend Dr. Martin Luther King, Jr. the principle is the same: It is the notion that there is a law higher than what we can conceive of here; and, dare I say it, Mr. Speaker, there is even a law higher than the contemporary decisions of the United States Supreme Court, that there is a law that rises unerringly out of history, and it is that moral law of which the Reverend Dr. Martin Luther King, Jr., wrote from that Birmingham jail.

A Rabbi pastor said famously in my presence once, "No one ever breaks God's law, they just break themselves against it." And what is true of individuals can undoubtedly be true of nations. Nations that set themselves against the moral law and moral truth fail to break that law so much as they break themselves.

Certainly that was the case in 19th century America, was it not, Mr. Speaker? For in 19th century America, while the Congressman and former President John Quincy Adams came to this floor week after week and argued the moral approbation of slavery, argued for the abolition of slavery, America slept, believing that it could break that moral law and still survive. And as we learned, following the elections of 1860 and the secession of southern States and 600,000 battle deaths later, the truth is, Mr. Speaker, America did not succeed in breaking the moral law, but America broke itself against that simple notion of human dignity, that one man ought not to be able, in a just society, to enslave another man, and to put him, as Abraham Lincoln would say in his second inaugural address, under the pain of the whip.

□ 2000

It was in that second inaugural address that he spoke of the Civil War. He spoke of the Civil War as a time when we were paying the debt that justice demanded of a nation. It is altogether fitting, I think, that tonight in this part of the case for life that we reflect on some of the similarities, eerie similarities between that debate over the personhood of men and women of African descent enslaved as they were in the Nation and the contemporary debate over abortion today because there are, as the author Gary Henry wrote in Focus magazine in June 1997, "There are, most assuredly, parallels between the debate over abortion today and the intellectual and moral debate and arguments made against slavery." It is almost eerie at times how the parallels between the arguments of those 150 years ago advocating slavery rights match with the arguments of personal choice that support abortion today.

Most notably of course was we had a Supreme Court case out of step with the truth. It was a case decided in 1857 known as the Dred Scott decision. In that case the Supreme Court ruled, and many will forget, that slaves, even freed slaves, and all their descendants had no rights protected by the Constitution and that States had no right to abolish slavery. The reasoning in Dred Scott is historically and intellectually almost identical to the reasoning that would be employed in 1973 in a decision known as Roe v. Wade.

It was a reasoning that was centered on the definition of a person. In the Dred Scott case, the Court stripped away all rights from a class of human beings and reduced them to nothing more than the property of others. We can compare the arguments that the Court used to justify slavery and abortion very clearly. In the Court's eyes, the Supreme Court in Roe v. Wade and its predecessor cases and progeny, unborn children are now the same as, quote, "the beings of inferior order" that the justices wrote of in the Dred Scott decision in 1857.

There are other similarities. An African American was considered a non-

person under the Constitution as the case of an unborn child was considered a nonperson. In fact, an African American in slavery and any of their progeny were considered the property of the owner, and in Roe v. Wade the unborn child is simply considered the property of the mother in a legal sense.

It is truly astonishing even to recall that the Dred Scott case was decided by a 7-2 decision in the Supreme Court, the exact same number of justices that voted for and against the right to an abortion in Roe v. Wade.

It is extraordinary to think that the words "citizens" or "persons" used in the Constitution, according to the Dred Scott decision, were never intended to include African Americans; and according to Roe v. Wade, the term "citizens" and "persons" as used in the Constitution were never intended to include unborn children.

Listen to these cryptic words from the Dred Scott case of 1857. The Supreme Court wrote: "A Negro, whose ancestors were imported into this country, and sold as slaves, were not intended to be included under the word 'citizen' in the Constitution, and can, therefore, claim none of the rights and privileges which that instrument provides for and secures to citizens of the United States."

Here are the words now from the Roe v. Wade decision in 1973. The Supreme Court wrote: "The word 'person,' as used in the 14th amendment, does not include the unborn. The unborn have never been recognized in the law," Justice Blackmun wrote for the majority "as persons in the whole sense."

So while there may be some looking in on our debate tonight who may think I cannot believe that conservative from Indiana is stretching to somehow connect the debate over slavery in 1857 before the Supreme Court in Dred Scott and the debate over a woman's right to choose an abortion which took place before the Supreme Court in 1973, the person might surmise there is no connection, but the truth is I learned in my very first class in law school on this topic, not only are they analogous, they are almost one to one parallels. Listen to those words again. In the Dred Scott in 1857 the Supreme Court said: "A Negro, whose ancestors were imported into this country, and sold as slaves, were not intended to be included under the word 'citizen' in the Constitution, and can, therefore, claim none of the rights and privileges which that instrument provides for and secures to citizens of the United States."

And in Roe v. Wade, they wrote the word "person" does not include the unborn. The unborn have never been recognized in the law; it is persons in the whole sense.

There are other parallels between the decision in the Dred Scott case. The Dred Scott case of 1857 essentially said a slave is the property of the master and the Constitution has provided "the protection of private property against the encroachments of government."

Literally the Supreme Court in 1857 brought out the idea of private property rights. In a very real sense the idea of privacy and the right to privacy that ostensibly emerges, as Justice Blackmun would write, the Bill of Rights was the very foundation of the Dred Scott decision. In the *Roe v. Wade* case in 1973, the Supreme Court said of that right: "The right of privacy is broad enough to encompass a woman's decision whether or not to terminate her pregnancy."

It is truly astonishing to think of the parallels, and it seems to me to be altogether fitting that we would amplify those. As we think about coming upon the 50th anniversary of the *Brown v. Board of Education* decision, I am someone who believes in my heart that the steady advance of civil rights in this country to every American is the glory of this Nation, that the Civil Rights Act of 1964 was the single greatest legislative accomplishment of the 20th century, and we as Americans ought to take enormous pride in the fact that our forebearers were willing to confront and reject the ethos of their time of some Americans, and even a 7-2 decision by the Supreme Court, that certified that Negroes were never to be counted among the citizens protected in the Constitution. It is because of their courage, their willingness to confront both the awesome power of the Supreme Court and their own countrymen that we arrive in a Nation today of increasing justice for all.

In fact, one cannot help but wonder, as I have since the first days I studied American history at a small college on the Ohio River Valley, one cannot help but wonder if the 600,000 lives that were lost in the Civil War, the families that were sundered in the Civil War, the wounds that in some respects 150 years later we find ourselves as a Nation still recovering from might have been altogether avoided if America had done as England had done some 25 years earlier and recognized that a practice in their midst certified by the highest courts in the land, and through traditions of decades, was simply and flatly morally wrong. But we did not.

Different than the United Kingdom that not only denounced slavery because of the leadership and 40-year campaign of a member of Parliament named William Wilberforce, not only did England denounce slavery and make it illegal, but they also declared war on slavery on the seven seas. And the holocaust of the Civil War that struck our country never came to England. And anyone that has ever visited or spent time in England knows that the division between the races is fundamentally better and less defined than in this Nation because England, before they were forced into the cataclysm that we met as a Nation in 1861 in the Civil War, shuffled off that conflict between their law and what was legal and the moral law and moral truth.

In fact, it was John Quincy Adams who I opened with tonight who would go to the floor of Congress and argue against the fundamental immorality of slavery, literally using his last breath, collapsing on the floor of Congress to argue against slavery in America. He was carried out and expired in the year 1848. He died in this very building. Some might look at John Quincy Adams, as some looking in tonight might look at me, and say speaking empty words, not making any change. John Quincy Adams died almost a decade before the Dred Scott decision. Some of his contemporaries might have said, what did he think he accomplished. But I submit very humbly that John Quincy Adams, on Earth and in heaven, accomplished a great deal because history does record that in 1848, the last year of his life, was the first year of a freshman Congressman from Illinois, a gangly, and by his own definition, a homely man, named Abe Lincoln. Born in Kentucky, moved at the age of 2 to the State of Indiana where he grew up until he was 19 on a little farm on which I have walked in southwestern Indiana.

He came to the United States Congress in 1848 and history would record that Abraham Lincoln, sitting in the back row as a freshman Member of Congress, listening to the great man John Quincy Adams speak would be deeply moved by one who was then known as the "hell hound of abolition." One can only imagine the sallow cheeks of a young and beardless Abe Lincoln sitting in the back row wondering, what is the grand old man making all the fuss about, slavery being so deeply ensconced in the industrial and legal tradition of America at the time.

But he listened and he heard, and it would be just 10 years later after leaving Congress that same Abe Lincoln, who our children in grade school know as President Abraham Lincoln, would run again for public office; but this time he was in a very real sense a changed man. He would enter a race in Illinois against Stephen Douglas for the Senate, a race that he would lose, but it would capture the imagination of America because of a series of debates known as the Lincoln-Douglas debates. And in those debates, more than any other political exercise of the age, Abraham Lincoln defined the moral dimensions of the wrongness of slavery in America.

The irony is among those who say you have to soften our position on abortion in contemporary debate because you could lose elections, well, that same advice could have been given to Abraham Lincoln because he certainly lost that campaign for the Senate, being as focused as he was on that issue. But it was precisely his courage and his unapologetic moral case for the wrongness and the injustice of denying personhood, denying the fundamental constitutional rights to an entire class of human beings that would propel him to his party's nomination for President of the United States.

□ 2015

And he would be elected, and upon his election the Nation would divide and be torn by war.

As we look at those Lincoln and Douglas debates, the arguments that candidate Abraham Lincoln made are extraordinary. He makes the case about the fundamental immorality of slavery; and for all the world, and I intend to do it during the course of these conversations about life, Mr. Speaker, we can take entire tracks of Abraham Lincoln's remarks in the Lincoln and Douglas debates and we can pull out the word "slavery" and put in the word "abortion" and the sentence makes perfect sense as he speaks about the denial of the fundamental right to life and liberty to a class of human beings in America.

He spoke about it not in the context of established law, but as we know from history, as did the Reverend Dr. Martin Luther King, Jr., in his letter from the Birmingham jail, he spoke about it in the context of the moral law of God.

I close this installment, Mr. Speaker, of the case for life as I began it with those extraordinary reflections of the Reverend Dr. Martin Luther King, Jr. But I close it with a recognition that it is not just high principle and history that calls us in this place to an account to restore the fundamental notion that life is sacred but rather there are lives, I offer humbly, not gratuitously, by the millions that cry out from someplace that they are and that we someday will be, and they call upon us as a Nation to right what has gone so wrong. The latest statistics from the Alan Guttmacher Institute estimates 43,358,592 total abortions since 1973.

King David, when he lost his son, experiencing the justice of God, washed his face after a period of grief and said that his mourning was over. When his friends and colleagues asked him how he could move on, he said of his son, "I will go to him but he will not again come to me."

I believe in all my heart that those 43 plus million souls have gone to a place where by God's grace I hope someday to go, but I believe that they cry out to America and to their own generation, not a word of condemnation because I expect that when we are done here, when we know ourselves even as we are known, our natural tendency to judge others will fade significantly.

I rise today, Mr. Speaker, in that same spirit, that it is my fondest hope that, as I have the privilege of serving in this body, I from time to time come to this floor even with other colleagues and make the case for life in a way that is truly brokenhearted, in a way that is brokenhearted not just about the 43 million who are not here but about the 43 million who were led into making that choice and the broken hearts in their lives that they feel, because I truly do believe, Mr. Speaker, that whether it is individuals or nations that we do not break God's law, we break ourselves against it.

As the Reverend Dr. Martin Luther King, Jr., said in the letter from the Birmingham jail, and we should heed this as we consider someday the ideal of restoring the sanctity of human life, "A just law is man-made code that squares with the moral law of God. An unjust law is a code that is out of harmony with the moral law."

Martin Luther King was right. Abortion is wrong, and it is my deepest and fondest hope that through peaceful means, as Dr. King led America through debate, through engagement, through compassion, that we will lead our Nation back to where the man-made code will again square with the moral law of God and we will someday restore the sanctity of human life.

QUESTIONS FOR THE BUSH ADMINISTRATION

The SPEAKER pro tempore (Mr. MURPHY). Under the Speaker's announced policy of January 7, 2003, the gentleman from Maryland (Mr. CUMMINGS) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mr. CUMMINGS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the topic of my special order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. CUMMINGS. Mr. Speaker, I come tonight to address this House along with my colleagues in the Congressional Black Caucus, and I guess one thing, as I heard our previous speaker talking about Martin Luther King, I could not help but think about a quote that King stated many years ago when he said that when you talk about peace, it is not just the absence of conflict but it is the presence of justice.

And tonight the Congressional Black Caucus, as we did last week and we will continue to do over and over again, come forward in the spirit of justice, justice with regard to the American people, who have a right to know what is going on in their country and with the tax dollars that they work so hard to give to our national Treasury. I think they want justice so that they can fully understand why it is that just a few months ago the President came asking for close to \$80 billion and this Congress gave it to him for Iraq. I think they will consider justice to simply be that they now have answers to the questions with regard to the present \$87 billion, questions answered which will help them understand what is going on and why it is that their tax dollars are being spent.

Those same citizens, like the Congressional Black Caucus, are very clear with regard to support of our troops. We support our troops with everything we have got. As I often say, we support our troops 1 million percent, but the fact is that, if justice is to prevail and

if peace is to really come to this world, we also need to know and the American citizens need to know whether those troops, while we applaud them over and over again, whether they are receiving justice when they ask the question and send the letters to their congressmen and to their representatives and to their Senators asking what do we have to do to get the things that we need to address this war that we are in?

So I want to make it very clear that there is not the slightest bit of reluctance to support our troops. We do. But now we must begin to answer some questions, and we presented these questions to the President before, and we will present them over and over again.

Recently, we in the Congressional Black Caucus released the principles that will guide our evaluation of the administration's \$87 billion supplemental funding request regarding the United States' involvement in Iraq and Afghanistan. This latest \$87 billion request, I should note, is in addition to the \$80 billion that Congress appropriated just last spring.

In the Congressional Black Caucus statement of principles, we declared the following: The administration should provide to the Congress the full details of the information relied upon by the President in his decision to go to war. We asked for a detailed accounting from the administration as to all funds expended to date, including details about all contracts for works in or related to Iraq. We asserted that the President should provide full details about how the efforts will be paid for, including a full accounting of how and to what extent Iraqi resources could be used to reduce the United States' costs. We indicated that the President should provide the Congress with a detailed plan showing how the proposed new funding will be spent, distinguishing between what will be used for the protection and maintenance of our troops and what will be used for the rebuilding of Iraq.

We went on to say, and we declare that the President should provide full details about the future obligations of the United States and about how responsibility and authority for these obligations will be shared with the United Nations and other nations around the world. And we asked that the President set forth the criteria he will expect to be met before bringing our troops home.

Mr. Speaker, next week this House will vote on the administration's \$87 billion request. Personally and on behalf of my colleagues within the Congressional Black Caucus, I once again pledge our unwavering support for our troops. We must provide our brave young men and women with all the resources they need to complete their mission and return home as soon as possible.

I suggest, however, that our evaluation of the administration's supplemental funding request requires further consideration of what precisely

the mission of our troops in Iraq will be from this point forward. That question is central to the last four CBC principles that I just mentioned, and it is central to the concerns of the 26 million Americans the Congressional Black Caucus members represent.

I must note that we are being asked to appropriate this \$87 billion, more than twice the amount of the entire Homeland Security Department's fiscal year 2004 budget. I must also acknowledge that we have not yet provided the Federal funding needed by our States and local governments to assure the security of our people right here at home.

I believe that there is substantial support in this House for a continuing and significant United States role in the rebuilding of Iraq and the transition of Iraq to a democratic peaceful society. Once again, however, we are faced with a critical issue of national policy. Must the United States substantially go it alone in financing the reconstruction of Iraq? Or, in the alternative, will the administration be able to obtain substantial United Nations involvement and financial participation?

The answers to these questions will be central to our evaluation of the administration's \$87 billion request and especially the \$20 billion plus requested for rebuilding Iraq.

As I speak, Mr. Speaker, the administration's proposed resolution seeking U.N. support is in trouble within the United Nations Security Council. The critical question appears to be this: Who will control the reconstruction of Iraq, the United Nations or the United States? We also rapidly are approaching the International Donors Conference in Madrid which is scheduled for October 27. The administration is maintaining the position that we, not the U.N., must remain in control of the Iraq process. This is the current situation. We in the Congress are being asked to approve another \$87 billion in American funds at a time when we are filled with uncertainty.

□ 2030

The questions that the Congressional Black Caucus have posed have not yet been answered. We are uncertain about the role of the UN; we are uncertain about what other nations will come forward to help pay the costs and how much they are prepared to contribute.

What we can reasonably conclude is this: Unless the United States is prepared to share power and control regarding the future of Iraq with the United Nations, we cannot reasonably anticipate that other major nations will be willing to share any substantial portion of the costs. In addition, thus far we have seen very little reference in the administration's proposals with respect to the appropriate use of Iraq's own resources to help rebuild the Middle Eastern Nation.

I should also note that according to an examination the Marshall Plan

analogy, a report prepared by the minority staff of the Committee on Appropriations, the \$20-plus billion we are being asked to appropriate far exceeds Iraq's need for humanitarian assistance.

Iraq has the second largest oil reserves in the world, with 112 billion barrels of proven oil reserves and another probable 220 billion barrels. At the current world market rate, the value of the proven Iraqi reserves would amount to \$2.8 trillion, together with another \$5.5 trillion in probable oil reserves. However, the administration's supplemental request does not seem to contain any plans to utilize this resource to cover the costs for building Iraq, as President Bush suggested that we would do before we began this war.

Even those of us who are inclined to support U.S. assistance in rebuilding Iraq must question the size of this request in the context of our national priorities.

Mr. Speaker, I must also conclude that serious questions about our motives would be raised abroad if we maintained unilateral control over the reconstruction process while using Iraqi oil resources to pay part of the cost.

Recall the core issue that we face, however: Who will control the process, us, or the U.N.? Would not UN control of the rebuilding process make the use of Iraqi resources far more acceptable, both in Iraq and abroad? Would not UN participation reduce the cost to the American people? Would not power sharing with the UN allow us to bring our troops home faster? Would not the truly international process give far greater legitimacy to the process and results of an Iraqi reconstruction?

These, I submit, are serious questions that must be answered to our satisfaction before we can justifiably appropriate more than \$20 billion in additional American funds.

With that, Mr. Speaker, I yield to the gentlewoman from the great State of California (Ms. LEE).

Ms. LEE. Mr. Speaker, first let me just say I rise tonight with my Congressional Black Caucus colleagues, led by our very strong, wise and courageous chairman, the gentleman from Maryland (Mr. CUMMINGS). I just want to say thank you to the gentleman for once again ensuring that the Congressional Black Caucus has the opportunity to put President Bush on notice of our concerns with his \$87 billion appropriation request to fund the ongoing war in Iraq.

Now, the gentleman from Maryland referenced the Statement of Principles which the Congressional Black Caucus actually put together and released several weeks ago. I would like to reference, Mr. Speaker, the Statement of Principles which we actually submitted in October of 2002 to put this in a bit more of a historical perspective.

In October of 2002, the Congressional Black Caucus issued the following

statement: "We oppose a unilateral first-strike action by the United States without a clearly demonstrated and imminent threat of attack on the United States. Only Congress has the authority to declare war. Every conceivable diplomatic option must be exhausted."

"A unilateral first strike would undermine the moral authority of the United States, destabilize the Middle East region and undermine the ability of our Nation to address unmet domestic priorities."

"Further, any post-strike plan for maintaining stability in the region would be costly and would require a long-term commitment."

That was in October of 2002.

Mr. Speaker, this money follows an initial \$78 billion special appropriation which I believe was passed in April and, of course, a defense budget that already tops \$368 to \$370 billion. Those climbing numbers are not only daunting in themselves, but they also represent what is this second installment for the Iraq invasion, a process that may be endless.

I reached this conclusion because this proposal provides no answers to the questions that it begs, which our chairman just laid out, no answers to the questions with regard to a timetable for Iraqi independence and an exit strategy for American troops. None of the answers to these questions have been provided. Before appropriating another taxpayer dollar, I believe we must have an answer to each and every one of these questions.

Mr. Speaker, some people will come to the floor and say that we must support this Presidential request without question because we have to support our troops. Well, Mr. Speaker, we all support our troops. As the daughter of a career military officer, this is very important to me, and I want to see them safe at home as soon as possible.

In the meantime, I want them to have the health benefits that they deserve, the bulletproof vests that they need, and the basic supplies, the toiletries, the basics that they need that really have been denied to them. I want to know that our wounded receive proper treatment and proper respect.

Our veterans deserve more than what they are getting. Disabled veterans deserve full retirement benefits and their families deserve full survivor benefits. They have made the ultimate sacrifice and need to be strengthened in terms of survivor benefits. How can we possibly do anything less?

I do not know where this first \$78 billion went, but I support our troops, and I think that we need to understand that this \$78 billion hopefully should have gone, we believe, to have supported our troops. I am not sure what happened to that money.

So in supporting our troops, I think I can say very clearly that I do not support the quagmire they are now trapped in. This \$87 billion does not come with a plan to get our troops out

of Iraq or to create a real transition to UN authority and then Iraqi independence. Instead, it supports and extends the guerilla war, without an accounting of how we got here or how we will get out.

The American people have a right to know the answers to these questions before they are asked to spend one more penny on this war. Accountability and transparency are among the fundamental principles that we are trying to really impart as it relates to our policy to Iraq.

How high will these bills go? Some experts tell us it could go as high as \$400 billion, or even higher. Accountability also demands that we know who is making money off of the war. Billions of dollars are going to Halliburton and to Bechtel and other corporations, many of them, of course, with ties to this administration.

Now, I am very pleased that Dr. Martin Luther King's vision, his perspective and his fight for peace and justice, has been part of our debate, and I want to just mention another perspective and lesson that Dr. King provided to us in the sixties. He warned us, and this was a quote that Dr. King provided and gave us in terms of instruction, he said, "In the wasteland of war, the expenditure of resources knows no restraints."

Dr. King knew that war could be a bottomless pit into which this great Nation could pour all of its resources, all of its young people, and really never come out any safer nor any stronger.

So we need a map, and we need a timetable to really get us out of this bottomless pit, and we need a clear transition strategy, so that we can achieve these goals. We need a timetable, so that we have an understanding of when we will get out.

Let me just say we need to also leave an Iraq that is stable and secure in terms of a transition, but we need to leave. The Iraqi people deserve to run their own country. The international community will be a major part of that transition.

We have deep obligations, unmet needs here at home, which our Congressional Black Caucus Statement of Principles laid out. We have schools that need to be reconstructed. We have health care needs. Here we have a country with 44 million people uninsured. We have health care needs that must be expanded here at home. We have housing that needs to be built.

We also have other obligations internationally, with 42 million people in the world with HIV and AIDS. The administration has not even come up with the full \$3 billion to fight a disease that killed 3 million people last year. We have been fighting very hard for that this year, and still cannot get that extra \$1 billion.

According to the National Priorities Project in my home State of California, taxpayers will be asked to contribute over \$11 billion to fund this supplemental appropriation. That

money could pay for \$2 billion in school construction, over 7,500 new affordable housing units, almost \$2 billion in infrastructure projects, and fund over 30,000 new firefighters and first responders. It would provide health care coverage for over 1 million people, and, in the process, create over 150,000 additional new jobs. So there are real costs to our own country with regard to this very failed and misguided foreign policy.

Finally, let me say in conclusion, yes, we must support our troops, and let us support our troops by forging a transition strategy that will get them home. Let us not blindly sign another blank check, another installment on the President's foreign policy doctrine, and this is what it really is, his foreign policy doctrine of preemption. Over 300 Americans have died in Iraq, over 1,200 have been wounded, and we do not have any real idea of how many Iraqis have died because the Pentagon refuses to try to even count them. So let us find our way out of this quagmire and out of this wasteland of war.

I want to thank the chairman again for his leadership and for this special order. Again, we are here tonight to wake up America.

Mr. CUMMINGS. Mr. Speaker, I want to thank the gentlewoman for her statement. As you were talking, I could not help but think about the call that I got the other day from one of my constituents who has now been laid off from a factory that closed.

She saw the same national news story that I saw where several Iraqi teachers were being paid, and we all welcome education and everything, but what they said in the newscast and what she was so upset about is the newscaster said they are now being paid six times what they were earning before the war. She said it just hurt her so badly to see those dollars being paid out, and yet she was about to be homeless.

So there is just something that I think the Caucus has consistently emphasized. Along with being very supportive of our troops, we have also used the word "balance" over and over again. We must approach our family issues with balance, our lives with balance, the things we do with balance. Clearly, I think the gentlewoman will agree with me, what seems to be happening here is clearly out of balance.

One of the things we want the American people to keep in mind is that we are not talking about just this \$87 billion. We are also talking about close to \$80 billion that we just gave in the spring, and one of the big questions that we put forth is when is the next request going to come and how much will that be for?

Ms. LEE. That is right. As I said earlier, I believe that it is very important that our troops are supported. This initial \$78 billion should have gone to support our troops, with all of the necessary equipment and protective vests and everything that they need. We do not know where that \$78 billion went.

□ 2045

We do not know where we are going with this. This is just the second installment, and all of the estimates have been \$400 billion-plus, 5 years-plus. We have got to say no to this, I would say to the gentleman, I believe. I think that it is about time that we ask the hard questions; and if we do not receive the answers, we must try to figure out a way to ensure that America understands what the stakes are and what the risks are.

Finally, with regard to education, yes, I can understand why this young lady was very upset. We cannot even fund and have not funded Leave No Child Behind. We promised the American people that we would create some parity in our school system and a quality education for young people, and that was probably rhetoric only. The reality is not there. So this \$87 billion, part of this certainly could go to ensure that our young people have the best possible public education that we can provide.

Mr. CUMMINGS. Mr. Speaker, the gentlewoman also spoke about the principles of the Congressional Black Caucus, and there were two sets of principles as the gentlewoman referenced. We had one set of principles that came prior to the war, and then we had another set of principles that we agreed upon with regard to this \$87 billion in future spending. The man who really helped us pull all of that together, who has just spent a phenomenal amount of effort in trying to make sure that we put forth principles that made sense, that were common sense, that we believe the entire Nation should be asking, was our colleague, the gentleman from the great State of North Carolina (Mr. WATT), and I yield to him.

Mr. WATT. Mr. Speaker, I thank the chairman, the gentleman from Maryland (Chairman CUMMINGS), for yielding and for organizing this Special Order this evening to talk about the Congressional Black Caucus's position on the war and to make some common-sense points about what that position should be and what the Congress's position should be.

Based on what my colleagues have already said, it is quite apparent that the Congressional Black Caucus has standing to be here for at least two reasons. Number one, we have standing because only 34 out of 38 of our Members voted against the original war resolution, against a backdrop where we had set out five clear principles that we would be measuring the President's original request to delegate authority to him to go to war against. And almost as if we had some crystal ball at that time, the fifth of the five principles stated as follows: it said, any post-strike plan for maintaining stability in the region would be costly and would require a long-term commitment. It was as if we were forecasting, even back in October of 2002, the exact circumstance in which we find ourselves today.

We did not have any crystal ball; what we had was common sense that told us if the President went this course alone without a worldwide, international coalition, we were likely to be there by ourselves, paying for the war and the postwar responsibilities by ourselves; that we would destabilize what was already an unstable situation in the Middle East even further, which has turned out to be the case.

Our own common sense in our communities says, hey, you simply do not fight somebody unless you have exhausted every possible, conceivable effort, short of fighting somebody. I mean, that is just a commonsense rule of the street where many of us have had to exist. You just simply do not go and fight somebody, and you do not go and make a unilateral attack against somebody without a demonstrated, imminent threat that somebody is getting ready to slap you or your mama. I mean, that is basically commonsense principles that we outlined in October of 2002.

So we have standing to be here, not because we came to say we told you so, but because we applied to our own voting pattern in the original war resolution the principles that we thought were commonsense principles that should govern our country. Unfortunately, this administration failed to apply those principles; and, as a result, we are here today.

Now, I want to zero in on several of the new eight principles that we established a couple of weeks ago to evaluate the President's \$87 billion additional request. First of all, we reaffirmed our commitment to the original principles that we had adopted back in October of 2002. We were not starting from scratch; we were working in a context where if we knew that if the President had followed those original principles, we would not be here today. But the second principle is quite interesting, because despite the fact that the President had not followed our principles, our second new principle was to say that despite the President's failure to follow our original statement of principles in his decisions leading to the war, we expressed our full resolve to support and protect our troops and their families. So as both of my colleagues who have spoken to this point have indicated, there should be no question about our commitment to the troops.

But before we give a President who has already demonstrated that he is inept and demonstrated that he is unwilling to follow commonsense principles for an additional \$87 billion, we think some other things ought to happen.

First of all, we think this administration should provide an accounting of all funds expended to date that were previously approved by the Congress, including details about all contracts for work in or related to Iraq. In my community, I do not know about my colleagues, but in my community,

there are substantial questions being raised about how Halliburton can end up with a contract in excess of \$1 billion in Iraq, and now people are asking, well, why can the Iraqi people not do some of this work? If we are trying to help them, why is it that we are being so paternalistic that only the United States can do the work; we will not even hire any of them to do the work on the ground? We are hiring U.S. companies, giving none of our small businesses, our minority businesses the opportunity to participate in those work opportunities?

Our next principle was the President should provide sufficient details about how the proposed funding will be spent to enable Congress and its committees to evaluate separately funding proposed for the protection and maintenance of our troops, which all of us agree is a high moral imperative. Despite the fact that the President did this unilaterally, our troops did not make that decision. We have got to protect them. But we want a separate accounting of the money that is going to be spent on the proposed rebuilding of Iraq.

Now, why do we want a separate accounting? Common sense again. We have neighborhoods in our own country that have inadequate plumbing, inadequate electricity. We had our own blackout. And if we are going to provide assistance to Iraq, we ought to be focusing on providing assistance in the same kind of settings in our own communities that we are providing in Iraq. We ought to make sure that we are not giving Iraq more than Iraq had before we even ever bombed there. At least show us what it is that we destroyed by bombing them; maybe we have some moral obligation to rebuild that part of Iraq. But for the life of me, I cannot figure out why we would think Iraq would be a higher priority to fund basic infrastructure than other countries with substantially less per capita incomes.

There are many countries throughout this world that have a lot less per capita income than Iraq, and there are a lot of countries that I would get to helping and providing assistance to before I would get down to Iraq, trying to provide this assistance solely against a backdrop where we have gone in and bombed that country.

We think the President should provide an accounting of Iraqi resources which we were told in advance the country was going to apply to rebuilding Iraq. Iraq has probably got more oil under the ground than most of the assets that we have here in our country. Why can they not use their own assets to help pay for the cost of rebuilding? I mean, that is just common sense. We try to tell people not to be paternalistic. I mean, you have to want to help yourself before we want to give you anything. That is what we have said to the American people. That is what we have said to people on welfare right here in our country. You got to get up

and work yourself and use your own resources, so why can we not apply the same principles to Iraq that we apply here at home?

These are just commonsense principles, Mr. Speaker; and it is just impossible for us to go back into our communities and say that we should be doing this, providing another blank check to this President, without a full accounting for the \$79 billion that has already been spent and without any accounting for how he is going to pay for the additional \$87 billion.

Now, we have been saying, all of us in the Congressional Black Caucus have been saying for months that if this is a priority, then we ought to pay for it as a Nation and not pass the debt along to our children. Every dime of this \$87 billion is going straight to the deficit and coming straight from borrowed money. The effect of that is to pass that obligation along to our children, rather than paying for it ourselves.

Now, who ought to be paying for it? I think who ought to be paying for it is the people that we gave the tax break to this year who are making over \$150,000 to \$200,000 a year. If they think this is a priority, if the country thinks this is a priority, then let us pay for it as a priority. So we think the tax cuts should be rolled back, especially at the highest levels, and maybe even at the middle-income levels, to have all of us share in the sacrifice, if we think this is a national priority. Those are the kinds of questions that we have asked this President to focus on and to provide attention to and to give us information about as a condition for asking us to support an additional \$87 billion.

Mr. Speaker, I will say to my colleagues that this Congressional Black Caucus has applied commonsense principles, the principles that we grew up in our communities understanding and abiding by; the principles that we have heard applied in our own country in communities by the people who make decisions.

□ 2100

You have got to be responsible yourself before we are going to be responsible for you. And we think that is a good, good criteria to measure this request against. And unless we get answers and responses to these principles, these eight principles that we have set out to evaluate this request against, I think you are going to see the Congressional Black Caucus vote in as unified a fashion against the \$87 billion request as we were against the original war resolution. And that is where we should be out of responsibility to our constituents, and our Nation, and our children, and the future of this country.

I thank the gentleman from Maryland (Mr. CUMMINGS) for convening this Special Order and for yielding time to me. I could go further, but I know there are other people who want to talk about this. And there are some other important principles that I need to touch on, but I am sure my col-

leagues are going to hit them before this Special Order is over.

Mr. CUMMINGS. I want to thank the gentleman from North Carolina (Mr. WATT) for his statement. I am glad that you have over and over again reminded all of us that these are just basic, logical, practical questions that people would ask in any serious matter.

But I just wanted to emphasize one thing that you talked about when you talked about how there were countries that were a lot worse off that are not getting this kind of assistance. And I just reiterate something I said a little bit earlier. Iraq has the second largest oil reserves in the world, with 112 billion barrels of proven oil reserves and another probable 220 billion barrels.

In the current world rate, the value of proven Iraqi reserves would be about \$2.8 trillion together with another \$5.5 trillion in probable oil reserves.

Mr. Speaker, I yield to my colleague, the gentlewoman from Michigan (Ms. KILPATRICK), who has been at the forefront of our outreach as a caucus and has pulled us together on this issue.

Ms. KILPATRICK. Mr. Chairman of our Congressional Black Caucus, thank you for continuing to be the beacon as we speak out and remain the conscience of the Congress and the conscience of our country. This is a serious time for the world, a serious time for American people. As our people struggle to raise their families, to feed them, to house them, to clothe them, to send their children to institutions of higher education, at a time when unemployment is the highest it has been in several years, many people who have worked all of their lives find themselves unemployed in this country.

So we as Members of the Congressional Black Caucus come to the American people tonight to ask you to fax, to e-mail, to call and to write your Congressperson, your U.S. Senator, and, yes, President Bush. It has already been shown that over the last 2 weeks the American people get this. Over 60 percent do not want us to spend \$87 billion in Iraq. Many of them want their own children, their own families, their own communities to be able to participate in the American Dream.

And over the last 2 years, with over 3 million jobs lost across this country, the people of America are crying out. And we, the Members of the Congressional Black Caucus, come to you, America, and ask you to speak up, to fax, to e-mail, to call, and to write the President, your United States Senator, and your Congressperson and let us know how you feel.

I am an appropriator. I sit on the Committee on Appropriations and I am honored to serve there, one of two people from the State of Michigan. Last May this Congress gave, as has been mentioned, \$79 billion to the President, asking no accountability. And you know what, American people? We have not gotten it, and that was our mistake. When we let that money go in

May, we should have asked for accountability. And the principles that the Congressional Black Caucus adopted then and that we present to you tonight, ask for a full accounting of the \$79 billion.

The families of many of the people who are active in Iraq and Afghanistan today have come to us and other Members of this body to say that their sons and daughters do not have the training that they need in such a situation, do not have the protective body armor they need to protect themselves, and equipment; and they do not have what is needed to fight such a war as this that the President declared was over a few months ago. The war is not over. We are in a new phase of it.

And the \$79 billion then, which was not spent for training and armor and keeping the equipment up to date, the equipment is falling apart. They have been fighting in the desert. The PXes where the soldiers get their water, their personal items are almost empty. We have got to put the money back in for that. The President asked for \$87 billion more just on September 7.

I am happy to say that this Congress, both the House and the Senate, want to take a look at what he is asking us to do. You see, the \$87 billion on September 7, and the \$79 billion in May, is \$166 billion. There are 13 appropriations bills. This \$166 billion is larger than seven of those bills combined. We have had over 40 hearings on those bills. So we must not rush to do this.

We must first protect our troops, give the soldiers what they need, make sure we do what is right. And as an appropriator and as members of the Congressional Black Caucus, we are committed to doing that. \$166 billion over 6 months' time and we have soldiers who do not have the protection they need to protect their lives? Many of our vehicles are out of operable order.

Where has the money gone? That is what this Member wants to know. Where has the money gone? How much money is really needed right now? I support giving the government what they need, giving our troops what they need. But we have not been given the documentation. Where is that documentation? Where has the money gone? Why can we not get that information?

And as we come to you tonight, America, we want you to ask those same questions.

Appropriations, I sit on the Foreign Operations subcommittee, so I am talking to you about what I know, what we get, the little we can sift through and find. On the Foreign Operations subcommittee we have had two hearings on the reconstruction money. As the President proposed it, he asked for \$20.3 billion. That is what the two hearings were held on. Today it went into the Committee on Appropriations. Tomorrow morning I understand the gentleman from Florida (Mr. YOUNG) of the Committee on Appropriations has reduced that by \$2 billion. And his mark before us tomorrow morning will be for \$18 billion.

Is it needed now? Must we do it all now? Can we fund until January so that we can get the information that this caucus has requested in our principles? I believe that we have to demand that. And I believe that you, America, have to demand that. Why would we build Iraq better than Iraq was before we entered it, before we unilaterally struck them? Why? Why would we build their roads and bridges and clean water and schools and hospitals and justice system when our very same things are crumbling? Why? Why will we give them a Cadillac at a time when our people are unemployed and we need to help our citizens when we could give them a Ford?

Most American people want to help them, but they do not want to do it at the expense of our own country. That is what we have to talk about. That is why we need the information. We do not have to rush for this one.

Tomorrow morning in the Committee on Appropriations, and I will be there, one of many Members discussing this supplemental bill that is before us, why can we not bifurcate it? Why can we not get the details that the troops need, the armies need, the vehicles, the weaponry they need and funds for the next 3 months until the first of the year? That would give us time to study this.

Why can we not look at the reconstruction money that is being asked for and perhaps fund it for the next 3 months so that we can look into the American people's money and at the same time fund those things that families need? We as Members of the Congressional Black Caucus are demanding that. As has been said already, we believe that we must help the Army, Navy, Marines, Coast Guard, and give them what they need to fight this battle.

I am one who voted against a unilateral strike. We have always been a country of defending ourselves. We have never unilaterally struck another nation. And there was no imminent threat then. And now the President has told us what we already knew, there was no imminent threat, that we could have addressed this better. We could have worked with the United Nations, 183 nations of the world, and had partners in this effort. Yes, Saddam Hussein was a bad man. Yes, we are happy that he is gone.

Iraq is not a poor country. Iraq has the second largest oil reserves in the world. The value of those oil reserves are over \$2 trillion. Why, then, do we take our meager dollars at a time when American citizens are suffering and families are out of work and our hospitals are closing and our schools are crumbling? And what about our blackouts? We had a blackout, America; do not forget that. Your State may have been one of them. Mine certainly was. We have got to put our electric grids back up. We have got to see that our power companies invest back into the power system. I contend we can do both.

We have got to go back to the United Nations and try to get a coalition. The Madrid Conference is coming up in a couple of weeks. There we will find out what countries will come to the table and be allies with us. We were told in appropriation that 61 small countries, 61 can only come up with \$1 billion. And they want one country to come up with \$87 billion of your money? I do not think that is necessary.

And I think, America, the Congressional Black Caucus urges you to write, fax, call and e-mail your Congressperson, your U.S. Senator, and, yes, our President Bush, to let us know how you feel.

If we would freeze the highest 1 percent of Americans, the millionaires, if we would freeze the tax cut that has been given to them over the next 6 years, we could recoup \$80 billion. This is a time of giving. It is a time that we all must put in.

Terrorism we must rid in the world. And it is going to take a collective, international effort to do that. We have got to do it at the same time that we keep our families strong, that we keep our men and women working and their families keeping their children together and protecting our seniors, who today have to choose between eating and getting their medicines, paying their rent and getting their medicines. Why are we not talking about that?

Mr. President, this is not right. And we as Members of the Congressional Black Caucus, you have our principles. Look at them. Talk to us. It is our community too. It is our country too. And if we are going to sustain ourselves as the world leaders that we are, if God is going to protect us as we carry out the business of the country, I think we need more time.

There is no need to push an \$87 billion supplemental through in this short period of time. So I thank the gentleman from Maryland (Mr. CUMMINGS) for the leadership that he has provided. Thank you to my brothers and sisters in the Congressional Black Caucus who remain the conscience of the Congress. We come as 39 Members representing over 26 million people. Many of our districts are not majority African Americans. Some are; some are not. We represent Arab Americans, Latino Americans, European Americans, Native Americans. We have the microcosm in our districts of America.

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And what we are here tonight to say to the American people, you have to act. You have to speak now or forever hold your peace. This is serious times for America, for our children, for our families and as we live, and as members of the caucus who stood here and took the oaths, we pledge that we will do our support, we pledge that we will uphold this Constitution, and we pledge that we will represent to the very best of our ability.

Mr. CUMMINGS. Mr. Speaker, I want to thank the gentlewoman. I so often,

Mr. Speaker, after these special orders, we get calls and people say, Why do you keep standing? Will you win? Do you think you can win? As much as we like to win, I take the words of former Congressman Bill Gray, he said, Even if we do not win this battle, we will set the trend, and we will be the conscience no matter what.

Mr. Speaker, how much time is remaining?

The SPEAKER pro tempore (Mr. MURPHY). The gentleman from Maryland (Mr. CUMMINGS) has approximately 6 minutes remaining.

Mr. CUMMINGS. Mr. Speaker, I yield to the gentleman from Florida (Mr. MEEK).

Mr. MEEK of Florida. Mr. Speaker, I want to thank the members that are here on the floor tonight of the Congressional Black Caucus. And I must say that we speak fact, and really it is not emotions, it is fact. And I am glad that many of the American people have responded in the way that they have thus far.

Sixty percent of Americans do not stand with this administration and many of the Members on the other side of the aisle, as it relates to this \$87 billion appropriations. I can tell you that every day I wake up and I walk into this great Capitol of ours, this democracy that we worked on for some 200-plus years, and I am just appreciative of being a Member of this body.

Also, I am very glad that not only that the gentlewoman from California (Ms. PELOSI) but others have allowed me to serve on the Committee on Armed Services and the Select Committee on Homeland Security. I have two young children. I could be home with them, a lovely wife, things of that nature, but I think it is important that we take the time out, even though we worked all day to be here to share with the American people the truth. And I think what is important, if the record has been set in any other area, the education, transportation, environment, that this administration and Members of the other side of the aisle have set as it relates to misinformation, not good information, failure, when we were told that we would be successful, I think we need to take that to a very strong point.

I have to go back to Desert Storm some 10 years ago and our investment in that particular effort. The cost of it was \$61 billion, \$61 billion. We are looking at a supplemental now that is \$87 billion. And that is not \$61 billion that we paid because our only share of that was 12 percent which was \$7.4 billion by the President's father, President Bush, that had a coalition, a real coalition. And many of the Arab states or the Arab league was there because Saddam Hussein needed to be dealt with and those individuals in Iraq needed to be dealt with.

We just gave \$79 billion, you heard my colleague on the Committee on Appropriations, that has yet to be accounted for. Also, now we are talking

about \$87 billion, which has now moved us Americans up to \$166 billion.

Now, these are not small numbers. They are going to have an effect on our economy. We talk about shock and awe in Iraq and that was pretty good for about 4 or 5 months. And I must say that I commend our troops and our men and women. I am not talking about the individuals in uniforms. I am talking about the individuals that are wearing shirts and ties, that are running around here on cellular phones, that are holding press conferences, the Defense Secretary, the President of the United States and even Members of this Congress that stand up and talk about how they support the troops and how dare you question me, I, Secretary, President, Vice President, on our efforts against the war on terrorism.

I must say that I would be ashamed to hold a press conference knowing that seven American soldiers, not coalition forces, seven American men and women are injured daily in Iraq. I am not talking about the numbers, over 177 troops have died since the President landed on the aircraft carrier.

Let us talk dollars and cents for a moment. Let us talk about appropriations. I am not on the committee but I am privy to the information. The education budget for this year, just for 2003, \$59.7 billion; transportation, \$1.5 billion; homeland security, \$35.8 billion, and we are here with no questions asked. Do not ask me any questions or you are unpatriotic for an \$87 billion appropriations to continue the effort in Iraq.

I intend to vote against this appropriation. It is not the fact that I disagree with the President or I disagree with the majority here in this House. I am voting against it because I care about Leave No Child Behind. I care about having roads and bridges. I care about our environment. I care about that teacher that is probably home right now checking papers of a classroom that he or she may have of 50 kids in the classroom.

We are talking about when the terrorists win, the terrorists, as far as I am concerned, they are sitting there saying, this is a wonderful thing. I have America bent over borrowing money to prove me wrong. For those who say we need to fight the war on terrorism in Iraq, so we do not have to fight the war here, I do not think there are terrorists sitting around saying, well, as long as they are in Iraq, we will focus on Iraq. We are not going to focus on the United States of America.

I have mayors right now in Florida that are trying to figure out how they are going to balance their budget because they do not have the money to do it because they had to get new security for the water plant, they had to put a police officer, not on the street preventing crime or fighting crime, but protecting something. In this country, we move the yellow, green, yellow, what have you, but we are not willing

to give them the necessary funds to function.

I want to share this, and then I will take my seat. How are we going to pay for this amount that we have now? That question has not been answered. We are going to borrow the money. It is going to cost us \$28 million a week in interest. I think that is very, very important.

Mr. Speaker, I just want to say in closing that American people need to pay very close attention, continue to ask your Members of Congress what they are doing and the questions that they are asking.

Mr. CUMMINGS. Mr. Speaker, I want to thank the gentleman and the members of the Congressional Black Caucus.

Mrs. CHRISTENSEN. Mr. Speaker, I want to begin by thanking you Chairman CUMMINGS and the rest of my CBC colleagues for providing leadership on this important issue to the American people.

Let me say at the outset that my fellow CBC members and I stand behind the courageous men and women in the military and are deeply grateful for their patriotism, courage and the sacrifices they are making.

Whether it is the courageous Sergeant Shoshanna Johnson or the several of my constituents that are laying their lives on the line for the country they love, they are all owed our gratitude and support.

I agree with you and my colleagues Mr. Chairman—as well as a significant number of my constituents who have sent me more e-mails opposing the President's request to spend an additional \$87 billion on Iraq than on any other issue—that the administration should provide an accounting of all funds expended to date that were previously appropriated by the Congress, including details about all contracts for work in or related to Iraq.

We can't give the president a blank check particularly since there has been no real accountability for the already provided \$63 billion for Iraq. And especially with frequent reports of equipment failure, and our men and women not getting the level of protection they should.

It is true that we have a responsibility to rebuild the infrastructure in Iraq, with emphasis on "re," but we must also remember that we have many unmet needs here at home.

We need to make investments in health care and my colleagues on the other minority caucuses and I are working on a comprehensive bill to address the causes of health disparities in our communities which will require at least the same \$900 million proposed for health in Iraq, to make the kind of investment in prevention, and control and treatment of the chronic diseases and to close the gaps that are driving up the cost of health care. And we need to include a comprehensive prescription program and mental health parity.

In my own area, my constituents are severely challenged when it comes to access to health care because we have a large low income population and a Medicaid program which places a cap on payments to us and requires us to adhere to a local match which treats as though we were one of the wealthiest areas of the country.

In announcing our statement of principles, we in the Congressional Black Caucus, are

also very concerned about reports which suggest that the reconstruction of Iraq is being done in a cost efficient manner through the utilization of local Iraqis in the rebuilding process, for example, which is apparently being rejected in favor of very expensive projects that only certain companies can do. It is important that the American people have the assurance that we are not, through this process, just making friends of the Administration wealthy or more wealthy, which appears to be the current goal.

If the President truly needs this money, then there should be no problem or barrier to his giving the Congress and the American people an accounting of how previously appropriated funds for Iraq were spent, a plan for future spending and an exit strategy. And the administration should be willing to pay for it out of the high end of the tax cut.

It is irresponsible for the President and his supporters to continue to call for and threaten to increase tax cuts after getting us into this war and rebuilding effort on flimsy evidence and with so many needs here at home going unaddressed.

This Body gave a blank check before without adequate information. We cannot and must not do it again.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. KIND (at the request of Ms. PELOSI) for October 7 and 8 on account of official business.

Ms. KAPTUR (at the request of Ms. PELOSI) for today on account of personal reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. BROWN of Ohio) to revise and extend their remarks and include extraneous material):

Mr. EMANUEL, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mr. FILNER, for 5 minutes, today.

Mr. MEEK of Florida, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. HOLT, for 5 minutes, today.

Mr. HINCHEY, for 5 minutes, today.

Ms. CARSON of Indiana, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

Ms. WATERS, for 5 minutes, today.

Mr. CONYERS, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

(The following Members (at the request of Mr. CRANE) to revise and extend their remarks and include extraneous material):

Mr. ENGLISH, for 5 minutes, today.

Mr. BOEHLERT, for 5 minutes, October 15.

Mr. MARIO DIAZ-BALART of Florida, for 5 minutes, today.

Mr. BEREUTER, for 5 minutes, today.

Mr. GUTKNECHT, for 5 minutes, today and October 15.

ENROLLED BILL SIGNED

Mr. TRANDAHL, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 2152. An act to amend the Immigration and Nationality Act to extend for an additional 5 years the special immigrant religious worker program.

ADJOURNMENT

Mr. CUMMINGS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 22 minutes p.m.), under its previous order, the House adjourned until Friday, October 10, 2003, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

4693. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Ohio Regulatory Program [OH-249-FOR] received September 29, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4694. A letter from the Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Removing Eriastrum hooveri (Hoover's woolly-star) from the Federal List of Endangered and Threatened Species (RIN: 1018-AG41) received October 2, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4695. A letter from the Deputy Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Delisting of the Berberis (=Mahonia) sonnei (Truckee barberry) (RIN: 1018-AH47) received October 2, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4696. A letter from the Assistant Secretary for Fish and Wildlife and Parks, Fish and Wildlife Service/NWRS, Department of the Interior, transmitting the Department's final rule — 2003-2004 Refuge-Specific Hunting and Sport Fishing Regulations (RIN: 1018-AI63) received October 2, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4697. A letter from the Deputy Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Pennsylvania Regulatory Program [PA-144-FOR] received October 3, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4698. A letter from the Acting Assistant Secretary of Fish and Wildlife and Parks, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Migratory Bird Permits; Regulations for Double-Crested Cormorant Management (RIN: 1018-AI39) received October 6, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4699. A letter from the Assistant General Counsel for Regulatory Law, Office of Envi-

ronment, Safety, and Health, Department of Energy, transmitting the Department's final rule — Compliance With Floodplain and Wetland Environmental Review Requirements (RIN: 1901-AA94) received September 8, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4700. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Closure [Docket No. 001005281-0369-02; I.D. 092303A] received October 3, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4701. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Economic Exclusive Zone Off Alaska; Groundfish Fisheries by Vessels using Hook-and-Line Gear in the Gulf of Alaska [Docket No. 021122286-3036-02; I.D. 092403G] received October 3, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4702. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone off Alaska; Atka Mackerel in the Central Aleutian District [Docket No. 021212307-3037-02; I.D. 092403F] received October 3, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4703. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone off Alaska; Pacific Cod by Vessels Using Trawl Gear in Bering Sea and Aleutian Islands Management Area [Docket No. 021212307-3037-02; I.D. 092403D] received October 3, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4704. A letter from the Chief, Regulations and Administrative Law, Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Lake Michigan, Chicago, IL [CGD09-03-261] (RIN: 1625-AA00) received October 1, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4705. A letter from the Chief, Regulations and Administrative Law, Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Security Zones; San Francisco Bay, California [COTP San Francisco Bay 03-002] (RIN: 1625-AA00) received October 3, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4706. A letter from the Chief, Regulations and Administrative Law, Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Events; Choptank River, Cambridge, MD [CGD05-03-124] (RIN: 1625-AA08) received October 3, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4707. A letter from the Chief, Regulations and Administrative Law, Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; St. Johns River, mile 24.7 at Jacksonville, Duval County, Florida [CGD07-03-131] (RIN: 1625-AA09) received October 3, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4708. A letter from the Chief, Regulations and Administrative Law, Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Regulated Navigation Area; Reporting Requirements for Barges Loaded with Certain Dangerous Cargoes, Illinois Waterway System Within the Ninth Coast Guard District [CGD09-03-241] (RIN: 1625-AA11) received October 3, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4709. A letter from the Chief, Regulations and Administrative Law, Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Milwaukee, Menomonee, and Kinnickinnic Rivers and South Menomonee and Burnham Canals, Milwaukee, WI [CGD09-03-215] (RIN: 1625-AA09) received October 3, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4710. A letter from the Chief, Regulations and Administrative Law, Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Safety Zone for Outer Continental Shelf Facility in the Gulf of Mexico for Viasca Knoll 915 [CGD08-02-045] (RIN: 1625-AG54) received October 3, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4711. A letter from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting the Department's final rule — IFR Altitudes; Miscellaneous Amendments [Docket No. 30371; Amdt. No. 442] received September 30, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4712. A letter from the FMCSA Regulatory Officer, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting the Department's final rule — Motor Carrier Safety Regulations; Miscellaneous Technical Amendments, received October 3, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4713. A letter from the Regulations Coordinator, Centers for Medicare & Medicaid Services, Department of Health and Human Services, transmitting the Department's final rule — Medicare Program; Hospice Wage Index for Fiscal Year 2004 [CMS-1233-N] (RIN: 0938-AM67) received September 30, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. POMBO: Committee on Resources. H.R. 1598. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in projects within the San Diego Creek Watershed, California, and for other purposes (Rept. 108-306). Referred to the Committee of the Whole House on the State of the Union.

Mr. BOEHNER: Committee on Education and the Workforce. H.R. 3076. A bill to amend title VII of the Higher Education Act of 1965 to ensure graduate opportunities in postsecondary education, and for other purposes; with an amendment (Rept. 108-307). Referred to the Committee of the Whole House on the State of the Union.

Mr. BOEHNER: Committee on Education and the Workforce. H.R. 3077. A bill to amend title VI of the Higher Education Act of 1965 to enhance international education programs; with an amendment (Rept. 108-308). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 135. A bill to establish the "Twenty-First Century Water Commission" to study and develop recommendations for a comprehensive water strategy to address future water needs; with an amendment (Rept. 108-309 Pt. 1). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Ms. HART (for herself and Ms. MILLENDER-MCDONALD):

H.R. 3259. A bill to provide effective training and education programs for displaced homemakers, single parents, and individuals entering nontraditional employment; to the Committee on Education and the Workforce.

By Mr. SMITH of New Jersey (for himself and Mr. EVANS):

H.R. 3260. A bill to amend title 38, United States Code, to extend certain authorities for health care services and reporting dates and to augment certain health care business practices or programs administered by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. COBLE (for himself, Mr. SMITH of Texas, Mr. HOBSON, Mr. GREENWOOD, Mr. TAUZIN, and Mr. SENSENBRENNER):

H.R. 3261. A bill to prohibit the misappropriation of certain databases; to the Committee on the Judiciary.

By Mr. BAKER:

H.R. 3262. A bill to amend section 44921 of title 49, United States Code, to provide for the arming of cargo pilots against terrorism; to the Committee on Transportation and Infrastructure.

By Mr. BEREUTER (for himself, Mr. TANNER, Mr. GILLMOR, and Mr. HEFLEY):

H.R. 3263. A bill to award a congressional gold medal to Lord Robertson of Port Ellen; to the Committee on Financial Services.

By Mrs. BLACKBURN:

H.R. 3264. A bill to amend subtitle IV of title 40, United States Code, regarding county additions to the Appalachian region; to the Committee on Transportation and Infrastructure.

By Mr. CARSON of Oklahoma:

H.R. 3265. A bill to direct the Secretary of Energy to convey a parcel of land at the facility of the Southwestern Power Administration in Tupelo, Oklahoma; to the Committee on Resources.

By Mr. COX:

H.R. 3266. A bill to authorize the Secretary of Homeland Security to make grants to first responders, and for other purposes; to the Committee on Homeland Security (Select), and in addition to the Committees on Transportation and Infrastructure, the Judiciary, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CUMMINGS:

H.R. 3267. A bill to eliminate certain inequities in the Civil Service Retirement System and the Federal Employees' Retirement System with respect to the computation of benefits for law enforcement officers, firefighters, air traffic controllers, nuclear ma-

terials couriers, members of the Supreme Court and Capitol police, and their survivors, and for other purposes; to the Committee on Government Reform.

By Mr. CUMMINGS:

H.R. 3268. A bill to amend title 5, United States Code, to ensure that the health benefits program for Federal employees covers screening for glaucoma; to the Committee on Government Reform.

By Mr. DINGELL:

H.R. 3269. A bill to require certain actions to be taken against countries that manipulate their currencies, and for other purposes; to the Committee on Ways and Means.

By Ms. DUNN (for herself, Mr. ENGLISH,

Mr. HAYES, Mr. QUINN, Mr. SHIMKUS, Mr. JONES of North Carolina, Mr. LAHOOD, Mr. MCHUGH, Mrs. WILSON of New Mexico, Mr. UPTON, Mr. BOEHLERT, Mr. KING of New York, Mr. BAKER, Mr. WALDEN of Oregon, and Mr. SWEENEY):

H.R. 3270. A bill to extend the Temporary Extended Unemployment Compensation Act of 2002; to the Committee on Ways and Means.

By Mr. GEPHARDT (for himself, Mr.

SERRANO, Ms. JACKSON-LEE of Texas, Mr. FROST, Mr. CROWLEY, Mr. FARR, Ms. SOLIS, Mr. RODRIGUEZ, Mr. BECERRA, Mrs. NAPOLITANO, Mr. REYES, and Mr. GREEN of Texas):

H.R. 3271. A bill to amend the Immigration and Nationality Act to provide for permanent resident status for certain long-term resident workers and college-bound students, to modify the worldwide level of family-sponsored immigrants in order to promote family unification, and for other purposes; to the Committee on the Judiciary.

By Ms. GRANGER:

H.R. 3272. A bill to require the Secretary of Defense to establish separate campaign medals to be awarded to members of the Armed Forces who participate in Operation Enduring Freedom, Operation Iraqi Freedom, and subsequent campaigns of similar significance in the Global War on Terrorism; to the Committee on Armed Services.

By Mr. GREEN of Texas:

H.R. 3273. A bill to amend the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to allow States and localities to provide primary and preventive care to all individuals; to the Committee on Energy and Commerce.

By Mr. KINGSTON (for himself, Mr.

SPRATT, Mr. LEWIS of Kentucky, Mr. HOUGHTON, Mr. WICKER, Mr. NORWOOD, Mr. ROGERS of Alabama, Mr. MICA, Ms. NORTON, Mr. BOUCHER, Mr. WILSON of South Carolina, Mr. BURNS, and Mr. ROSS):

H.R. 3274. A bill to enhance homeland security by encouraging the development of regional coordination plans for emergency and disaster preparedness, response, and recovery; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MALONEY (for herself, Mr. WAXMAN, and Mr. HINCHEY):

H.R. 3275. A bill to require transparency, increased competition in contracting, and the increased use of Iraqi contractors in Iraq; to the Committee on Government Reform.

By Mr. GEORGE MILLER of California

(for himself, Mr. KILDEE, Mr. RYAN of Ohio, Mr. DAVIS of Illinois, Mr. SCOTT of Virginia, Mr. GRIJALVA, Mr. PAYNE, Mrs. MCCARTHY of New York, and Mr. KUCINICH):

H.R. 3276. A bill to establish an emergency program to provide immediate education assistance for unemployed workers, and for other purposes; to the Committee on Education and the Workforce.

By Mr. MURTHA:

H.R. 3277. A bill to require the Secretary of the Treasury to mint coins in commemoration of the 230th Anniversary of the United States Marine Corps, and to support construction of the Marine Corps Heritage Center; to the Committee on Financial Services.

By Ms. NORTON (for herself and Mr. TOM DAVIS of Virginia):

H.R. 3278. A bill to permit statues honoring citizens of the District of Columbia to be placed in Statuary Hall in the same manner as statues honoring citizens of the States are placed in Statuary Hall, and for other purposes; to the Committee on House Administration.

By Mr. OTTER:

H.R. 3279. A bill to amend title II of the Social Security Act and the Internal Revenue Code of 1986 to provide for an election by individuals eligible for old-age insurance benefits under such title to waive payment of benefits based on their work record, to provide for income tax deductions based on the actuarial present value of benefits foregone by reason of such an election, and to provide that special Government obligations issued exclusively for purchase by the Social Security Trust Funds shall bear interest at the average market yield then prevailing for comparable obligations issued in the private sector; to the Committee on Ways and Means.

By Mr. PAUL:

H.R. 3280. A bill to amend titles 10 and 14, United States Code, to provide for an increase in military retired pay for officers by reason of being credited with extraordinary heroism on the same basis as applies to enlisted members; to the Committee on Armed Services, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PLATTS (for himself, Mr. WOLF, Mr. WAXMAN, Mr. MCHUGH, Mr. SHAYS, Mr. RUPPERSBERGER, Ms. SCHAKOWSKY, and Mr. TIERNEY):

H.R. 3281. A bill to amend title 5, United States Code, to clarify which disclosures of information are protected from prohibited personnel practices; to require a statement in nondisclosure policies, forms, and agreements to the effect that such policies, forms, and agreements are consistent with certain disclosure protections; to provide certain authority to the Special Counsel; and for other purposes; to the Committee on Government Reform.

By Mr. RADANOVICH:

H.R. 3282. A bill to establish the Healthy America Commission; to the Committee on Energy and Commerce.

By Mr. REGULA (for himself, Mr. WAMP, Mr. SHERWOOD, Mr. SOUDER, Mr. PETRI, Mr. PETERSON of Pennsylvania, and Mr. HOBSON):

H.R. 3283. A bill to improve recreational facilities and visitor opportunities on Federal recreational lands by reinvesting receipts from fair and consistent recreational fees and passes, and for other purposes; to the Committee on Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. REYES (for himself, Mr. FILNER, Mr. HINOJOSA, Mr. RODRIGUEZ, Mr. ORTIZ, Mr. BACA, and Mrs. DAVIS of California):

H.R. 3284. A bill to improve the health of residents of, and the environment in, the United States-Mexico border area; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, Agriculture, Financial Services, Transportation and Infrastructure, International Relations, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHAYS (for himself, Mr. FRANK of Massachusetts, Mr. GREENWOOD, Mrs. TAUSCHER, Mr. ABERCROMBIE, Mr. ACEVEDO-VILA, Mr. ACKERMAN, Mr. ALLEN, Mr. ANDREWS, Mr. BACA, Mr. BAIRD, Ms. BALDWIN, Mr. BECERRA, Mr. BELL, Ms. BERKLEY, Mr. BERMAN, Mrs. BIGGERT, Mr. BISHOP of Georgia, Mr. BISHOP of New York, Mr. BLUMENAUER, Mr. BOEHLERT, Mr. BOSWELL, Mr. BRADY of Pennsylvania, Ms. CORRINE BROWN of Florida, Mr. BROWN of Ohio, Mr. CAPPS, Mr. CAPUANO, Mr. CARDIN, Ms. CARSON of Indiana, Mr. CASE, Mrs. CHRISTENSEN, Mr. CLAY, Mr. CLYBURN, Mr. CONYERS, Mr. COOPER, Mr. CROWLEY, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mr. DAVIS of Florida, Mrs. DAVIS of California, Mr. DEFazio, Ms. DEGETTE, Mr. DELAHUNT, Ms. DELAURO, Mr. DEUTSCH, Mr. DICKS, Mr. DINGELL, Mr. DOGGETT, Mr. DOOLEY of California, Mr. DOYLE, Mr. EMANUEL, Mr. ENGEL, Ms. ESHOO, Mr. EVANS, Mr. FALOMAVAEGA, Mr. FARR, Mr. FILNER, Mr. FOLEY, Mr. FORD, Mr. FROST, Mr. GEPHARDT, Mr. GONZALEZ, Mr. GRIJALVA, Mr. GUTIERREZ, Ms. HARMAN, Mr. HASTINGS of Florida, Mr. HINCHEY, Mr. HINOJOSA, Mr. HOFFEL, Mr. HOLT, Mr. HONDA, Ms. HOOLEY of Oregon, Mr. HOYER, Mr. INSLEE, Mr. ISRAEL, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. JONES of Ohio, Mrs. JOHNSON of Connecticut, Mrs. KELLY, Mr. KENNEDY of Rhode Island, Mr. KILDEE, Ms. KILPATRICK, Mr. KIND, Mr. KIRK, Mr. KLECZKA, Mr. KOLBE, Mr. KUCINICH, Mr. LAMPSON, Mr. LANGEVIN, Mr. LANTOS, Mr. LARSEN of Washington, Mr. LARSON of Connecticut, Mr. LEACH, Ms. LEE, Mr. LEVIN, Mr. LEWIS of Georgia, Ms. LOFGREN, Mrs. LOWEY, Mr. LYNCH, Mrs. MCCARTHY of New York, Ms. MCCARTHY of Missouri, Ms. MCCOLLUM, Mr. McDERMOTT, Mr. MCGOVERN, Mr. McNULTY, Ms. MAJETTE, Mrs. MALONEY, Mr. MARKEY, Mr. MATHESON, Mr. MATSUI, Mr. MEEHAN, Mr. MEEK of Florida, Mr. MEEKS of New York, Mr. MENENDEZ, Mr. MICHAUD, Ms. MILLENDER-MCDONALD, Mr. MILLER of North Carolina, Mr. GEORGE MILLER of California, Mr. MOORE, Mr. MORAN of Virginia, Mr. NADLER, Mrs. NAPOLITANO, Mr. NEAL of Massachusetts, Ms. NORTON, Mr. OBERSTAR, Mr. OLVER, Mr. OSE, Mr. OWENS, Mr. PALLONE, Mr. PASCRELL, Mr. PASTOR, Mr. PAYNE, Ms. PELOSI, Ms. PRYCE of Ohio, Mr. RANGEL, Mr. REYES, Mr. RODRIGUEZ, Ms. ROS-LEHTINEN, Mr. ROTHMAN, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. SABO, Ms. LINDA T. SANCHEZ of California, Ms. LORETTA SANCHEZ of California, Mr. SANDERS, Ms. SCHAKOWSKY, Mr. SCOTT of Virginia, Mr. SERRANO, Mr. SCHIFF, Mr. SHERMAN, Mr. SIMMONS, Ms. SLAUGHTER, Mr. SMITH of Washington, Ms. SOLIS, Mr. STARK, Mr. STRICKLAND, Mr. SWEENEY, Mr.

THOMPSON of Mississippi, Mr. THOMPSON of California, Mr. TIERNEY, Mr. TOWNS, Mr. UDALL of New Mexico, Mr. UDALL of Colorado, Mr. VAN HOLLEN, Ms. VELAZQUEZ, Mr. VIS-CLOSKY, Ms. WATERS, Ms. WATSON, Mr. WATT, Mr. WAXMAN, Mr. WEINER, Mr. WEXLER, Ms. WOOLSEY, Mr. WU, and Mr. WYNN):

H.R. 3285. A bill to prohibit employment discrimination on the basis of sexual orientation; to the Committee on Education and the Workforce, and in addition to the Committees on House Administration, Government Reform, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WOLF (for himself and Mr. HYDE):

H.R. 3286. A bill to establish a commission to improve United States development assistance and food aid around the globe; to the Committee on International Relations.

By Ms. JACKSON-LEE of Texas (for herself, Mr. CUMMINGS, Mr. FILNER, Mr. DAVIS of Illinois, Mr. PAYNE, Mr. CONYERS, Mr. MEEK of Florida, Mr. HONDA, Mr. TOWNS, Ms. KILPATRICK, Mr. RODRIGUEZ, Mr. LEWIS of Georgia, and Mr. RUSH):

H. Con. Res. 296. Concurrent resolution expressing the sense of Congress with respect to the President's \$87 billion supplemental appropriation request for the occupation and reconstruction of Iraq; to the Committee on International Relations, and in addition to the Committees on Armed Services, and Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RANGEL:

H. Con. Res. 297. Concurrent resolution expressing the sense of Congress that Romare Howard Bearden should be recognized as one of the preeminent artists of the 20th century for his artistic genius and visual creativity in the depiction of the complexity and richness of African American life in the United States; to the Committee on Government Reform.

By Mr. SULLIVAN (for himself, Mr. AKIN, Mr. BARTLETT of Maryland, Mr. BOOZMAN, Mr. BRADY of Texas, Mr. CANNON, Mr. CHABOT, Mrs. JO ANN DAVIS of Virginia, Mr. DOOLITTLE, Mr. ENGLISH, Mr. FORBES, Mr. FRANKS of Arizona, Mr. GOODE, Mr. GOODLATTE, Ms. HART, Mr. HAYES, Mr. HOSTETTLER, Mr. HUNTER, Mr. JONES of North Carolina, Mr. MILLER of Florida, Mrs. MYRICK, Mr. OSBORNE, Mr. PENCE, Mr. PICKERING, Mr. PITTS, Mr. RYUN of Kansas, Mr. SESSIONS, Mr. SHIMKUS, Mr. SOUDER, Mr. TERRY, Mr. STEARNS, Mr. TIAHRT, Mr. VITTER, Mr. WELDON of Florida, Mr. WICKER, Mr. WILSON of South Carolina, and Mr. WOLF):

H. Con. Res. 298. Concurrent resolution expressing the sense of Congress supporting vigorous enforcement of the Federal obscenity laws; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCKEON (for himself, Mr. HOYER, Mr. SERRANO, Mrs. CAPPS, Mr. FARR, Mr. SHAYS, Mr. WALSH, Mr. KILDEE, Mr. GINGREY, and Mr. PETRI):

H. Con. Res. 299. Concurrent resolution honoring Mr. Sargent Shriver for his dedication and service to the United States of

America, for his service in the United States Navy, and for his lifetime of work as an ambassador for the poor and powerless citizens of the United States of America, and for other purposes; to the Committee on Government Reform.

By Mr. NADLER:

H. Con. Res. 300. Concurrent resolution expressing the sense of the Congress regarding so-called "honor killings"; to the Committee on International Relations.

By Mr. CONYERS (for himself, Ms. KILPATRICK, Mrs. MILLER of Michigan, Mr. LEVIN, Mr. KILDEE, Mr. DINGELL, Mr. MCCOTTER, Mr. STUPAK, Mr. ROGERS of Michigan, Mr. UPTON, and Mr. CAMP):

H. Res. 392. A resolution congratulating the Detroit Shock for winning the 2003 Women's National Basketball Association championship; to the Committee on Government Reform.

By Mrs. BIGGERT (for herself and Mrs. MALONEY):

H. Res. 393. A resolution commending Afghan women for their participation in Afghan government and civil society, encouraging the inclusion of Afghan women in the political and economic life of Afghanistan, and advocating the protection of Afghan women's human rights in the Afghanistan Constitution; to the Committee on International Relations.

By Mr. GARY G. MILLER of California (for himself, Mr. YOUNG of Alaska, Mr. OBERSTAR, Mr. PETRI, Mr. GORDON, Mr. BONILLA, Mr. GREEN of Wisconsin, Mr. JOHNSON of Illinois, Ms. MILLENDER-MCDONALD, Mr. ISAKSON, Mr. BOEHLERT, Mr. SHUSTER, Mr. COBLE, Mr. COLLINS, Mr. BURNS, Ms. CORRINE BROWN of Florida, Mr. CAMP, Mr. LUCAS of Kentucky, Mr. CALVERT, Mr. WILSON of South Carolina, Mr. SANDLIN, Mr. BERRY, Mr. MICHAUD, Mr. DAVIS of Tennessee, Mr. GOODE, Mr. GERLACH, Mr. BLUMENAUER, Mr. MORAN of Kansas, Mr. BOOZMAN, and Mr. RAHALL):

H. Res. 394. A resolution recognizing the American Concrete Institute's 100-year contribution as the standards development organization of the concrete industry and for the safe and technologically current construction activity it has enabled, which contributes to the economic stability, quality of life, durability of infrastructure, and international competitiveness of the United States; to the Committee on Transportation and Infrastructure.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 25: Mr. MCINNIS.
H.R. 31: Mr. LAMPSON.
H.R. 290: Mr. MENENDEZ and Mr. RANGEL.
H.R. 303: Mr. STARK.
H.R. 339: Mr. TOOMEY and Mr. ROGERS of Alabama.
H.R. 369: Mr. RUPPERSBERGER, Mr. CARDIN, and Ms. CORRINE BROWN of Florida.
H.R. 433: Mr. SHAYS.
H.R. 434: Mr. GALLEGLY and Mr. BURTON of Indiana.
H.R. 476: Mr. WELDON of Pennsylvania.
H.R. 594: Mr. BALLANCE, Ms. ROS-LEHTINEN, and Mr. BONNER.
H.R. 610: Mr. SMITH of Washington.
H.R. 646: Mr. GORDON.
H.R. 727: Mr. STARK.
H.R. 738: Mr. ACEVEDO-VILA.
H.R. 742: Mr. BERRY and Mr. NEAL of Massachusetts.

H.R. 806: Mr. GONZALEZ.
H.R. 833: Mr. COX and Mr. LAHOOD.
H.R. 839: Mr. MEEKS of New York and Mr. WEXLER.
H.R. 852: Mr. ACKERMAN.
H.R. 857: Mr. WOLF and Ms. ROYBAL-ALLARD.
H.R. 873: Mr. MCCOTTER.
H.R. 876: Mr. NUNES and Mr. BUYER.
H.R. 931: Mr. LATOURETTE.
H.R. 956: Mr. LANTOS.
H.R. 965: Mr. BISHOP of New York, Mr. KANJORSKI, and Mr. GONZALEZ.
H.R. 992: Mr. KLINE.
H.R. 993: Mr. KLINE.
H.R. 994: Mr. KLINE.
H.R. 1043: Mrs. KELLY.
H.R. 1076: Mr. DEMINT.
H.R. 1105: Mr. SABO.
H.R. 1118: Mr. BISHOP of Utah.
H.R. 1162: Mr. THOMPSON of California.
H.R. 1220: Mr. WILSON of South Carolina.
H.R. 1250: Mr. SHADEGG.
H.R. 1285: Mrs. MALONEY, Mr. TIERNEY, Mr. VAN HOLLEN, and Mr. PAYNE.
H.R. 1336: Mr. LEWIS of California and Mr. MARIO DIAZ-BALART of Florida.
H.R. 1359: Ms. CORRINE BROWN of Florida.
H.R. 1385: Mr. LIPINSKI, Mr. McKEON, and Mr. FARR.
H.R. 1430: Mrs. DAVIS of California.
H.R. 1448: Mr. HINOJOSA.
H.R. 1508: Mr. TIERNEY.
H.R. 1523: Mr. RAMSTAD and Mr. BURTON of Indiana.
H.R. 1532: Mr. KIRK and Mr. UDALL of Colorado.
H.R. 1582: Mr. SMITH of Michigan.
H.R. 1699: Mr. BURTON of Indiana.
H.R. 1708: Mrs. MILLER of Michigan.
H.R. 1717: Ms. BALDWIN.
H.R. 1726: Mr. GOODE.
H.R. 1742: Mrs. CAPPS.
H.R. 1749: Ms. KAPTUR.
H.R. 1782: Mr. CARDIN and Mr. LEWIS of Georgia.
H.R. 1800: Mr. VAN HOLLEN.
H.R. 1818: Mr. SHAYS.
H.R. 1828: Mr. SAM JOHNSON of Texas, Mr. KIRK, Mr. STENHOLM, Ms. MCCOLLUM, and Mr. NEUGEBAUER.
H.R. 1861: Mr. DEUTSCH and Mr. ENGEL.
H.R. 1873: Mr. BARTLETT of Maryland and Mr. SCHROCK.
H.R. 1886: Ms. LOFGREN, Mr. HALL, Mr. BACA, Mr. LAHOOD, and Mr. BAKER.
H.R. 1892: Ms. LOFGREN.
H.R. 1905: Mr. LEWIS of Georgia.
H.R. 1910: Mr. MICHAUD.
H.R. 1916: Mr. UPTON and Mr. BAKER.
H.R. 1943: Mr. GREEN of Wisconsin.
H.R. 1993: Mr. PAYNE.
H.R. 2023: Ms. LOFGREN and Mr. FROST.
H.R. 2032: Mr. GUTIERREZ, Mr. MATHESON, Mr. EVANS, and Mr. UDALL of New Mexico.
H.R. 2037: Ms. WATSON.
H.R. 2042: Mr. ROTHMAN, Mr. GUTIERREZ, Ms. MILLENDER-MCDONALD, Mr. THOMPSON of Mississippi, Mr. BRADY of Pennsylvania, Mr. DAVIS of Illinois, Ms. HOOLEY of Oregon, and Ms. WATERS.
H.R. 2233: Mr. WEXLER.
H.R. 2246: Mr. DAVIS of Illinois, Mr. PETERSON of Pennsylvania, Mr. ISRAEL, Mr. QUINN, Mr. ROTHMAN, Mr. MCGOVERN, Mr. DELAHUNT, and Mr. BEAUPREZ.
H.R. 2256: Mr. BISHOP of New York, Mr. KING of New York, Mr. MEEKS of New York, Mr. NADLER, Mr. TOWNS, Ms. VELAZQUEZ, Mr. SERRANO, Mrs. LOWEY, Mr. ISRAEL, Mr. ACKERMAN, Mr. CROWLEY, Mr. OWENS, Mr. RANGEL, and Mr. ENGEL.
H.R. 2318: Mr. POMEROY and Mr. THOMPSON of California.
H.R. 2347: Mr. WAMP and Mr. GOODE.
H.R. 2379: Mr. ADERHOLT.
H.R. 2440: Ms. BORDALLO.
H.R. 2494: Mrs. BIGGERT.

H.R. 2504: Mr. EMANUEL.
H.R. 2509: Mr. BOEHNER, Mr. PLATTS, Mr. OTTER, and Mr. HALL.
H.R. 2515: Ms. HOOLEY of Oregon.
H.R. 2582: Mr. HILL.
H.R. 2632: Mr. ETHERIDGE and Mr. BOOZMAN.
H.R. 2665: Mr. LARSON of Connecticut.
H.R. 2671: Mr. JOHN and Mr. SESSIONS.
H.R. 2705: Mr. STENHOLM.
H.R. 2707: Mr. BEAUPREZ.
H.R. 2711: Ms. MILLENDER-MCDONALD, Ms. DeGETTE, Mr. LARSON of Connecticut, and Mr. PRICE of North Carolina.
H.R. 2719: Mr. VAN HOLLEN.
H.R. 2759: Ms. LOFGREN.
H.R. 2768: Ms. WATERS, Mr. BAIRD, Mr. FOSSELLA, Mr. LEVIN, Mrs. JO ANN DAVIS of Virginia, Mr. LAHOOD, Mr. HYDE, Mr. SHAD-EGG, Mr. HENSARLING, Mr. REGULA, Mr. LINDER, Mr. HOBSON, Mr. BEREUTER, Mr. SHAYS, Mr. BALLENGER, Mr. TOOMEY, Mr. SWEENEY, Mr. RADANOVICH, Mr. LATOURETTE, Mr. ENGLISH, Mr. KOLBE, Mr. SABO, and Mr. BONNER.
H.R. 2787: Mr. ROSS.
H.R. 2816: Mr. WYNN, Mr. GREEN of Texas, and Mr. CUMMINGS.
H.R. 2821: Mr. LAHOOD and Mr. LEACH.
H.R. 2837: Ms. LEE.
H.R. 2864: Mr. BRADY of Texas and Mr. SESSIONS.
H.R. 2871: Mr. FILNER and Mr. RENZI.
H.R. 2900: Mr. BOUCHER, Mr. CARDOZA, Mr. HILL, and Mr. PORTER.
H.R. 2924: Mr. ORTIZ.
H.R. 2932: Mr. GRIJALVA.
H.R. 2941: Mr. KOLBE.
H.R. 2945: Mr. FATTAH.
H.R. 2950: Mr. TOOMEY.
H.R. 2959: Mr. WELDON of Pennsylvania, Mr. PALLONE, Ms. LOFGREN, and Mr. HINOJOSA.
H.R. 2966: Mr. DOOLEY of California.
H.R. 2983: Mr. UDALL of Colorado.
H.R. 2990: Mr. TIBERI.
H.R. 2998: Mr. CANNON, Mr. TOOMEY, and Mr. BOSWELL.
H.R. 3002: Mr. EVERETT.
H.R. 3003: Mr. FILNER.
H.R. 3004: Mr. CONYERS.
H.R. 3019: Mr. RYUN of Kansas, Mr. MOLOHAN, Mr. ETHERIDGE, Mr. FROST, Mr. PAUL, Mr. KENNEDY of Rhode Island, Mr. HASTINGS of Florida, Mr. ACEVEDO-VILA, Mr. SERRANO, Mrs. MALONEY, Mr. CUMMINGS, Ms. SLAUGHTER, and Mr. BOYD.
H.R. 3023: Mr. FRANK of Massachusetts and Mr. ANDREWS.
H.R. 3049: Mr. DAVIS of Tennessee, Ms. WATSON, and Ms. MCCOLLUM.
H.R. 3051: Mr. CONYERS, Mr. KILDEE, and Mrs. MCCARTHY of New York.
H.R. 3063: Mr. PAYNE, Ms. ROYBAL-ALLARD, Mr. EMANUEL, Mr. NEAL of Massachusetts, and Ms. CORRINE BROWN of Florida.
H.R. 3075: Mrs. MUSGRAVE and Mr. GARRETT of New Jersey.
H.R. 3077: Mr. CARTER.
H.R. 3079: Mr. BEREUTER and Mr. TERRY.
H.R. 3092: Mr. ACEVEDO-VILA and Mr. DOOLEY of California.
H.R. 3094: Mr. PUTNAM.
H.R. 3116: Mr. SHAYS.
H.R. 3119: Mr. KENNEDY of Minnesota, Mr. SHUSTER, Mr. QUINN, and Mr. ISAKSON.
H.R. 3122: Mr. ENGLISH.
H.R. 3123: Mr. GONZALEZ.
H.R. 3125: Mrs. JO ANN DAVIS of Virginia.
H.R. 3126: Mr. CHOCOLA.
H.R. 3129: Mr. FROST.
H.R. 3130: Mr. SESSIONS and Mr. TERRY.
H.R. 3132: Mrs. CAPPS, Mr. FARR, Mr. GEORGE MILLER of California, and Mr. HONDA.
H.R. 3156: Ms. HOOLEY of Oregon.
H.R. 3173: Mr. MARKEY and Mr. CONYERS.
H.R. 3190: Mr. WAMP.
H.R. 3191: Mr. BARTON of Texas, Mr. RAMSTAD, Mr. WICKER, Mr. WELDON of Florida, Mr. GRAVES, Mr. TOOMEY, and Mr. WILSON of South Carolina.

H.R. 3193: Mr. TAYLOR of Mississippi, Mr. CULBERSON, Mr. BLUNT, Mr. ISAKSON, Mr. KLINE, Mr. EDWARDS, Mr. SIMPSON, Mr. RENZI, Mr. YOUNG of Alaska, Mr. TIAHRT, Mr. LUCAS of Kentucky, Mr. SHUSTER, Mr. PENCE, Mr. COSTELLO, Mr. DINGELL, and Mr. GORDON.

H.R. 3194: Mr. HALL and Mr. JEFFERSON.

H.R. 3214: Mr. OSBORNE, Mr. JOHNSON of Illinois, Mr. CRANE, Mr. COSTELLO, Mr. WYNN, Ms. SLAUGHTER, Mr. UDALL of New Mexico, Mr. ALLEN, Mr. FRANK of Massachusetts, Ms. LINDA T. SANCHEZ of California, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. BALDWIN, Mr. BOUCHER, Mrs. JOHNSON of Connecticut, Mrs. KELLY, Mr. RENZI, Mr. LEWIS of California, Mr. RAMSTAD, Mr. PEARCE, Mr. JOHN, Mrs. MCCARTHY of New York, Mr. TOWNS, Ms. HOOLEY of Oregon, Ms. NORTON, Ms. BERKLEY, Mr. ACKERMAN, Mr. GEORGE MILLER of California, Ms. MILLENDER-MCDONALD, Mr. LARSEN of Washington, Mr. MEEKS of New York, Mr. ROTHMAN, Mr. TOOMEY, Mr. WAXMAN, Mr. FORD, Mrs. CAPPS, Mr. FROST, Ms. HARMAN, Mr. PASTOR, Mr. BAKER, Mr. LAMPSON, Mr. MATHESON, and Mr. MCHUGH.

H.R. 3215: Mr. GREEN of Wisconsin.

H.R. 3226: Mr. LANTOS and Ms. ESHOO.

H.R. 3228: Mr. CONYERS, Mr. MCINTYRE, Mr. OLIVER, and Mr. LEWIS of Georgia.

H.R. 3242: Mr. CALVERT, Mr. GOODE, and Mr. PETERSON of Minnesota.

H.R. 3246: Mr. PENCE.

H.J. Res. 56: Mr. GARY G. MILLER of California and Mr. ADERHOLT.

H.J. Res. 62: Mr. HINCHEY, Mr. BERMAN, and Mr. SCHROCK.

H. Con. Res. 37: Mr. BOOZMAN.

H. Con. Res. 86: Mr. WEXLER.

H. Con. Res. 106: Mr. TERRY and Mr. KNOLLENBERG.

H. Con. Res. 126: Mr. COX and Mr. CAMP.

H. Con. Res. 247: Mr. SMITH of New Jersey, Mr. BURTON of Indiana, Mr. GOSS, and Mr. BROWN of Ohio.

H. Con. Res. 264: Ms. CORRINE BROWN of Florida.

H. Con. Res. 269: Mr. CONYERS, Mr. MEEKS of New York, Mr. FARR, Ms. CORRINE BROWN of Florida, and Mr. CLYBURN.

H. Con. Res. 277: Ms. GRANGER.

H. Con. Res. 283: Mrs. CHRISTENSEN.

H. Con. Res. 285: Mr. DEMINT.

H. Con. Res. 291: Mr. WHITFIELD, Mr. WILSON of South Carolina, Mr. ISAKSON, Mrs.

TAUSCHER, Mr. CALVERT, Mr. WELDON of Pennsylvania, Mr. COOPER, Mr. SNYDER, Mr. JOHN, Mr. JONES of North Carolina, Mr. REYES, Mr. BARTLETT of Maryland, Mr. RYAN of Ohio, Mr. HASTINGS of Florida, Mr. SCHROCK, and Mr. HOSTETTLER.

H. Res. 20: Ms. LOFGREN.

H. Res. 157: Mr. DOGGETT.

H. Res. 285: Mr. ROTHMAN.

H. Res. 300: Mr. McDERMOTT, Mr. SCHROCK, and Mr. BARRETT of South Carolina.

H. Res. 349: Ms. LOFGREN and Mr. SANDERS.

H. Res. 363: Mr. SHIMKUS.

H. Res. 373: Mr. QUINN, Mr. MICHAUD, Ms. LOFGREN, Mr. SANDERS, Ms. MILLENDER-MCDONALD, Mr. GONZALEZ, Ms. MCCOLLUM, and Ms. PELOSI.

H. Res. 378: Mr. GARRETT of New Jersey, Mr. DAVIS of Illinois, and Mr. WATT.

H. Res. 382: Mr. WALSH and Mr. KING of New York.

H. Res. 384: Ms. WOOLSEY and Mr. STARK.

H. Res. 388: Ms. HARRIS, Mr. BARTLETT of Maryland, and Mr. GREENWOOD.